

LAW-LATIN

A TREATISE IN LATIN

WITH

LEGAL MAXIMS AND PHRASES

AS A BASIS OF INSTRUCTION

✓ BY

E. HILTON JACKSON, A.M. LL.M.,

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" Instructor in Law and Law-Latin in the Summer School of The
Columbian University.

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TO
WILLIAM A. MAURY, LL.D ,
Counsellor at Law,
Professor of Law in the Columbian University, and formerly Assistant
Attorney-General of the United States, I respectfully
dedicate this book.

PREFACE.

This little book consists of a course in Latin, in which legal maxims and phrases are used as a basis of instruction. It is not designed to give a complete course in the Latin Language, and is intended chiefly to benefit law students and some of the younger members of the profession, who have not a working knowledge of Latin, by making them familiar with the fundamental principles of the language, while at the same time employing as material of instruction those maxims and phrases met with daily in practice and in the leading text books.

The maxims and phrases thus utilized comprise substantially all of those annotated in Wharton's & Broom's Legal Maxims, and, besides, many others, three hundred and eighty-five in all, in selecting which, their importance in a legal aspect has been constantly borne in mind.

These maxims have been conveniently divided into thirty-two lessons, conducting the student by a gradual and easy process from the more elementary principles of etymology to some of the more involved constructions of syntax.

The lessons contain references, so far as may be found serviceable to a correct translation, to the rules and principles of Etymology and Syntax, collated in a

single part of this book. More of these rules and principles have been introduced than will be found indispensable to an intelligent study of the lessons, thus making the course as expansive as the inclination of the student or the discretion of the instructor may suggest.

For convenience, the legal aspect of every phrase and maxim has been set forth, thus avoiding the necessity of references to a book of maxims to gain this information. It should be said, however, that the author in thus annotating the phrases and maxims, has striven for accuracy and brevity rather than originality or exhaustive treatment, and has drawn largely upon the labors of others who have preceded him in this field, being especially indebted to Broom and Wharton, to the Law Dictionaries of Bouvier and Anderson, and also to many other sources of information, for which due credit has been given in the appropriate place, so far as practicable.

The English method of pronunciation is suggested as being of the greatest service to members of the profession in the United States, and, looking to this end, its principles have been set forth in the introductory part, following substantially the presentation in Harkness' Latin Grammar, for which acknowledgments are here made.

The hope is earnestly indulged, and is justified by the author's actual experience, that the thorough student will become a master of this English method of pronunciation, and, in addition to the knowledge of Latin

acquired, will, by reason of the constant use of these maxims in the class room, have at his tongue's end information that may be considered an almost indispensable part of the equipment of every successful practitioner.

My heartfelt thanks are due to my friend, Professor Andrew P. Montague, LL.D., Professor of Latin and Dean of The Columbian College, whose profound scholarship and intelligent sympathy have done much to lighten the labors of the past few months.

If this work shall, even in a slight degree, have a tendency to bring the young men of the legal profession to a livelier appreciation of the maxims of the law—"Those unerring principles of truth, in accordance with which all laws now and hereafter to be made will be interpreted"—the author will feel fully compensated for the time and labor expended.

E. HILTON JACKSON,

Washington, D. C.

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PRONUNCIATION.

1. **ALPHABET.**—The Latin alphabet is the same as in English, except that it has no *w*.

In the classical period one form *i* served for the vowel *i* and the consonant *j*, but for convenience both forms are used in this book.

U and *v* were also denoted by the same form *v*, but the modern distinction has been retained in this book, *u* being used as a vowel.

The Liquids are *l, m, n, r*.

The Mutes, *p, b, t, d, g, c, k, q*.

The Vowels, *a, e, i, o, u, y*.

No further division of the consonants will be found serviceable in this treatise.

2. **THE ENGLISH METHOD OF PRONUNCIATION.**—Vowels usually have their long or short English sounds.

3. **LONG SOUNDS.**—Vowels have their long English sounds—*a* as in *fate*, *e* as in *mete*, *i* in *pine*, *o* in *note*, *u* in *tube*, *y* in *type*—in the following situations :

1. In final syllables ending in a vowel; *se, si, sér-vi, sér-vo, cór-nu, mí-sy*.

2. In all syllables before a vowel or diphthong: *Dé-us, de-ó-rum, dé-æ, di-é-i, ní-hi-lum*.

3. In penultimate syllables before a single consonant or before a mute followed by a liquid: *Pá-te, pá-tres, Á-thos, O-thrys*.

4. In unaccented syllables, not final, before a single consonant, or before a mute followed by a liquid : *Do-ló-ris*, *cór-po-ri*, *cón-su-lis*, *a gríc-o-la*.

a. A unaccented, except before consonants in final syllables, has the sound of *a* final in *America* : *mén-sa*, *a-cú-tus*, *a-má-mus*.

b. I and y unaccented, in any syllable except the first and last, generally have the short sound : *nób-i-lis* (*nób-e-lis*), *Ám-y-cus* *Ám-e-cus*).

c. I preceded by an accented *a*, *e*, *o* or *y*, and followed by another vowel, is a semivowel with the sound of *y* in *yet* : *A-chá-ia* (*A-ká-ya*), *Pom-pé-ius* (*Pom-pé-yus*), *La-tó-ia* (*La-tó-ya*).

d. U has the short sound before *bl*, and the other vowels before *gl* and *tl* : *Pub-líc-o-la*, *Ag-lá-o-phon*, *Át-las*.

e. U in *qu*, and generally in *qu* and *su*, before a vowel, has the sound of *w* : *qui* (*kwi*), *gua*; *lín-gua* (*lín-gwa*), *lín-guis*, *suá-de-o* (*swá-de-o*).

f. Compound Words.—When the first part of a compound is entire and ends in a consonant, any vowel before such consonant has generally the *short* sound : *a* in *áb-es*, *e* in *réd-it*, *i* in *ín-it*, *o* in *ób-it*, *pród-est*. But those final syllables, which, as exceptions, have the long sound before a consonant, retain that sound in compounds : *póst-quam*, *hós-ce*. *É-ti-am* and *quó-ni-am* are generally pronounced as simple words.

4. **SHORT SOUNDS.**—Vowels have their short English sounds—*a* as in *fat*, *e* in *met*, *i* in *pin*, *o* in *not*, *u* in *tub*, *y* in *myth*—in the following situations:

1. In final syllables ending in a consonant:

Á-mat, á-met, réx-it, sol, cón-sul, Té-thys; except *post, es final* and *os final* in plural cases: *res, dí-es, hos, á-gros*.

2. In all syllables before *x*, or any two consonants except a mute followed by a liquid: *Réx-it, bél-lum, rex-é-runt, bel-ló-rum*.

3. In all accented syllables, not penultimate, before one or more consonants: *Dóm-i-nus, pá-t-ri-bus*. But

(a.) **A, e** or **o** before a single or consonant (or a mute and a liquid), followed by *e, i* or *y* before another vowel, has the long sound: *á-ci-es, á-cri-a, mé-re-o, dó-ce-o*.

(b.) **U**, in any syllable not final, before a single consonant or a mute and a liquid, except *bl*, has the long sound: *Pú-ni-cus, sa-lú-bri-tas*.

(c.) Compounds; see 3, f.

5. DIPHTHONGS.—Diphthongs are pronounced as follows :

Æ like *e*: *Caé-sar, Daéd-a-lus*.

Œ like *e*: *Oé-ta, Oéd-i-pus*.

Au as in author: *aú-rum*.

Eu as in neuter: *neú-ter*.

1. *Ei* and *oi* are seldom diphthongs, but when so used they are pronounced as in *height, coin, hei, proin*.

2. *Ui*, as a diphthong with the long sound of *i*, occurs in *cui, hui, huic*.

5. CONSONANTS.—The consonants are pronounced in general as in English. Thus—

I. **C** and **G** are soft (like *s* and *j*) before *e, i, y, æ* and *œ*, and *hard* in other situations: *cé-do,*

cí-vis, *Cy-rus*, *caé-do*, *coé-pi*, *á-ge* (á-je), *á-gi*; *cá-do* (ka-do), *có-go*, *cum*, *Gá-des*. But

1. *C* has the sound of *sh*—

a. Before *i* preceded by an accented syllable and followed by a vowel: *só-ci-us* (só-she-us).

b. Before *eu* and *yo* preceded by an accented syllable: *ca-dú-ce-us* (ca-dú-she-us), *Síc-y-on* (Sís-h-y-on).

2. *Ch* is hard like *k*: *chó-rus* (kó-rus), *chíos* (kí-os).

3. *G* has the soft sound before *g* soft: *ág-ger*.

II. *S*, *T* and *X* are generally pronounced as in the English words *son*, *time*, *expect*: *sá-cer*, *tí-mor*, *réx-i* (rék-si). But—

1. *S*, *T* and *X* are aspirated before *i* preceded by an accented syllable and followed by a vowel—*s* and *t* taking the sound of *sh*, and *x* that of *ksh*: *Ál-si-um* (Ál-she-um), *ár-ti-um* (ár-she-um), *ánx-i-us* (ánk-she-us). But—

a. *T* loses the aspirate (1) after *s*, *t* or *x*: *Ós-ti-a*, *Át-ti-us*, *míx-ti-o*; (2) in old infinitives in *ier*: *fléc-ti-er*; (3) generally proper names in *tion* (*tyon*): *Phi-lís-ti-on*, *Am-phíc-ty-on*.

2. *S* is pronounced like *z*—

a. At the end of a word after *e*, *æ*, *au*, *b*, *m*, *n*, *r*: *spes*, *præ-s*, *laus*, *urbs*, *hí-ems*, *mons*, *pars*.

b. In a few words after the analogy of the corresponding English words: *Caé-sar*, *Cæsar*; *caú-sa*, *cause*; *mú-sa*, *muse*; *mí-ser*, *miser*, *miserable*, etc.

3. *X* at the beginning of a word has the sound of *z*: *Xán-thus*.

LESSON I.

First and Second Declension.

7. Decline *persóna*, *amícus*, *interrégnum*. (98)
(99).

Learn present indicative of *éссе*. (126).

8. 1. *Bóna*; *bónus*.
2. *In persónam*.
3. *In Ánglia non est interrégnum*¹.
4. *Per mínas*.
5. *A ménsa*² *et thóro*².
6. *A vínculo*² *matrimónii*³.
7. *Commodátum*.
8. *Ab inítio*².
9. *Impérium in império*⁴.
10. *Arbítrium est judícium*.
11. *In fóro cóns-ciéntiæ*⁵.
12. *In futúro*.
13. *Dámnum síne injúria*.
14. *Amícus cúriæ*⁶.

9. *a* or *ab*, prep. w. *abl.*, *from*, *by*.
amícus, -i, m. *friend*.
Ánglia, -æ, f. *England*.

¹See 132, I.

²See 132, XIX.

³See 132, VII.

⁴See 132, XXIV.

⁵See 132, VIII.

⁶See 132, X.

- arbítrium**, -i, n. *award*.
bóna, -órum, n. *goods, property*.
bónus, -i, m. *bonus*.
commódátum, -i, n. *loan*.
consciéntia, -ae, f. *conscience*.
cúria, -ae, f. *court*.
dámnum, -i, n. *loss, damages*.
et, conj., *and*.
fórum, -i, n. *forum, court*.
futúrum, -i, n. *future*.
impérium, -i, n. *government, state*.
in, prep. w. acc., *into, to, against*, i. e. *motion*.
 w. abl., *in, on*, i. e. *rest*.
ínítium, -i, n. *beginning*.
injúria-æ, f. *injury*.
interrégnum, -i, n. *interregnum*.
judícium, -i, n. *judgment*.
matrimónium, -i, n. *marriage, matrimony*.
ménsa, -æ, f. *board, table*.
mína, -æ, f. *threat*.
non, adv., *not*.
per, prep. w. acc., *through, by*.
persóna, -æ, f. *person*.
síne, prep. w. abl., *without*.
thórus, -i, m. *bed, couch*.
vínculum, -i, n. *bond, chain*.

LESSON II.

Adjectives of the First and Second Declension.

10. Decline **bónus** and **málus**. (107).

Learn present indicative active of **mándo**.
(120).

11. 1. Málo¹ ánimo².

2. Ignorántia fácti excúsat.

3. Mandámus.

4. Pro bóno público³.5. Mála grammática non vítiat chártam⁴.

6. Arguméntum ad ignorántiam.

7. Dóna clandestína sunt sémper suspiciósa.

8. Térra fírma.

9. Própter ódium delícti.

10. Ex offício⁵.11. Injúria non excúsat injúriam⁴.

12. Vía antiqua est túta.

13. Sciénter.

12. ad, prep. w. ac, *based upon, according to*.ánimus,-i, m, *intent, mind*.antíquus,-a,-um, adj., *ancient, old*.arguméntum,-i, n. *argument*.bónus,-a,-um, adj., *good*.¹See 132, IV.⁴See 132, II.²See 132, XVIII.⁵See 132, XVII.³See 132, XVII.

- chárta,-æ, f. *writing, instrument, deed.*
 clandestínus,-a,-um, adj., *secret.*
 delíctum,-i, n. *offense, crime.*
 dónum,-i, n. *gift.*
 dum, conj., *while.*
 ex, prep. w. abl., *by virtue of.*
 excúso,-áre,-ávi,-átum, *excuse, condone.*
 fáctum,-i, n. *fact.*
 fírminus,-a,-um, adj., *firm, solid.*
 grammática,-æ, f. *grammar.*
 ignorántia,-æ, f. *ignorance.*
 málus,-a,-um, adj. *bad, evil.*
 mándo,-áre,-ávi,-átum, *command.*
 ódium,-i, n. *odium.*
 offícium,-i, n. *office.*
 pro, prep. w. abl., *for, on behalf of.*
 públicus,-a,-um, adj., *public.*
 própter, prep. w. acc., *on account of.*
 sciénter, adv., *with knowledge, knowingly.*
 sémper, adv., *without.*
 sunt, (*they*) *are.*
 suspiciósus,-a,-um, adj., *suspicious.*
 térra,-a,-um, f. *land.*
 tútus,-a,-um, adj., *safe.*
 vía,-æ, f. *way, road.*
 vítio,-áre,-ávi,-átum, *vitiate, make void.*

LESSON III.

Third Declension.

- 13.** Decline *lex, visitatio, homo, rex, mens, consuetudo*. (100), (101), (102).

Learn future and perfect indicative active of *mándo*. (120).

- 14.** 1. *Custodia legis*.
 2. *Impotentia excusat legem*.
 3. *Visitatió nem commendamus*.
 4. *Lex Angliæ lex¹ terræ est*.
 5. *Argumentum ad hominem*.
 6. *Lex Angliæ est lex misericordiæ*.
 7. *Lex dabit remedium*.
 8. *Festinatió justitiæ² est novérca¹ infortúnii*.
 9. *Aula régis*.
 10. *Pléne administrávit*.
 11. *Asséntio méntium²*.
 12. *Consuetúdo régni est lex¹ Angliæ*.

- 15.** *administro, -áre, -ávi, -átum, administer*.
asséntio, -ónis, f. assent.
aúla, -æ, f. hall.
comméndo, -áre, -ávi, -átum, commend.
consuetúdo, -inis, f. custom.
Cornélia, -æ, f. Cornelia.
custódia, -æ, f. custody, guard.
de, prep. w. abl., about, concerning.
do, -áre, -dédi, -dátum, give, furnish.

¹See 132, III.

²See 132, IX.

festinatio, -onis, f. *haste*.
 impotentia, -æ, f. *inability, impotence*.
 infortúnium, -i, n. *misfortune, disaster*.
 justitia, -æ, f. *justice*.
 lex, légis, f. *law*.
 mens, méntis, f. *mind*.
 misericórdia, -æ, f. *mercy, pity*.
 novérca, -æ, f. *stepmother*.
 pléne, adv., *fully*.
 régnum, -i, n. *kingdom*.
 remédium, -i, n. *remedy*.
 rex, régis, m. *king*.
 sicárius, -i, m. *assassin*.
 visitatio, -ónis, f. *visit*.

LESSON IV.

Third Declension.

16. Decline *necéssitas, sérvitus, stipulátor*. (100), (101).

Learn the present indicative active of *hábeo*. (121).

17. 1. *Necéssitas non hábet légem*.
 2. *Fálssa demonstratio non nócet*.
 3. *Executio légis non hábet injúriam*.
 4. *Ínter arma léges sílent*.
 5. *Lex dilatiónes abhórret*.
 6. *Mísera est sérvitus, úbi lex vága aut incérta*.
 7. *Malítia súpplet ætátem*.

8. Suppréssio véri, expréssio fálsi.
9. Lex spéctat natúrae árdinem.
10. Actiónes légis.
11. Ambigúitas cóntra stipulatórem est.
12. Córam dómino rége.

18. abhórreo,-ére,-ui, —, *abhor*.
 áctio,-onis, f. *action*.
 aétas,-átis, f. *age*.
 ambigúitas,-átis, f. *ambiguity*.
 árma,-órum, n. plur. *arms*.
 cóntra, prep. w. acc., *against*.
 córam, prep. w. abl., *in the presence of*.
 dilátio,-ónis, f. *delay*.
 demonstrátio,-ónis, f. *proof*.
 dóminus,-i, m. *lord, master*.
 execútio,-ónis, f. *execution*.
 fálsus,-a,-um, adj., *false*.
 hábeo,-ére,-ui,-itum, *have*.
 incértus,-a,-um, adj., *uncertain*.
 ínter, prep. w. acc., *among*.
 malítia,-æ, f. *malice*.
 míser,-era,-erum, adj., *wretched*.
 natúra,-æ, f. *nature*.
 necéssitas,-átis, f. *necessity*.
 nóceo,-ére,-ui,-itum, *harm, do injury*.
 órdo,-ínis, f. *order*.
 rex,-égis, m. *king*.
 sérvitus,-útis, f. *servitude, slavery*.
 síleo,-ére,-ui, —, *to be silent*.
 spécto,-áre,-ávi,-átum, *look at, regard*.
 stipulátor,-ónis, m. *stipulator, party using*.
 suppréssio,-ónis, f. *suppression*.
 úbi, adv., *where*.
 vágus,-a,-um., adj., *uncertain, ambiguous*.

LESSON V.

Third Declension.

- 19.** Decline *mos, vox, cómes, júdex, jus, vis, haéres, córpus, fraus.* (100), (101), (102), (105).

Learn present indicative active of *respóndeo* (like *habeo*). (121).

- 20.**
1. *Cóntra bónos móres.*
 2. *Vox pópuli vox Déi est.*
 3. *Negligéntia sémper hábet infortúniam có-mitem*¹.
 4. *Úbi jus, remédium est.*
 5. *Ad quaéstionem fácti non respóndent júdices; ad quaéstionem juris non respóndent juratóres.*
 6. *Execútio est execútio júris secúndum judícium.*
 7. *Fraus et jus núnquam cohábitant.*
 8. *Lónga posséssio est pácis jus.*
 9. *Fálssa orthográphia síve fálssa grammática non vítiat concessiónem.*
 10. *Vi*² *et ármis.*²
 11. *Nam némo haéres vivéntis est.*
 12. *Córpus delícti.*

- 21.** *cohábito,-áre,-ávi,-atum, to live or dwell together.*

¹See 132, VI.

²See 132, XVII.

cómes,-itis, m. and f. *companion*.

concéssio,-onis, f. *grant*.

córpus,-oris, n. *body*.

delictum,-i, n. *crime, offense*.

Déus,-i, m. *God*.

fraus,-dis, m. *fraud*.

haéres,-édis, m. *heir*.

infortúnia,-ae, f. *misfortune*.

jurátor,-óris, m. *juror*.

jus,-úris, n. *law, right*.

mos,-óris, m. *custom*.

negligéntia,-æ, f. *negligence*.

némo,-inis, c. *no one*.

núnquam, adv., *never*.

orthográphia,-æ, f. *spelling*.

posséssio,-ónis, f. *possession*.

respóndeo,-ére,-di,-spónsum, *to answer to, to respond*.

secúndum, prep. w. acc., *according to*.

sive, conj., *or*.

vis, vis, f. *force*.

vivens,-ntis, c. *a living person*.

vox,-ócis, f. *voice*.

LESSON VI.

Adjectives of the Third Declension.

- 22.** Decline *brévis, simplex, filius, nómen*. (108), (100), (101), (99).

Learn present indicative of *indúco* (like *rego*). (122).

- 23.** 1. *Íra fúror brévis est.*
 2. *Símplex commendátio non obligat.*
 3. *Necéssitas indúcit privilégium.*
 4. *Fórma legális fóрма essentiális.*
 5. *Haéres est nómen légis, fílius est nómen natúræ.*
 6. *Lex néminem cógit ad vána seu impossibília.*
 7. *In fictióne légis, aéquitas exístit.*
 8. *Crímen tráhit persónam.*
 9. *Débile fundaméntum fállit ópus.*
 10. *Lex necessitátis est lex témporis, i. e. in-stántis.*

- 24.** *aéquitas,-átis, f. equity.*
brévis,-e, adj., brief, short.
cógo,-ere, coégi, coáctum, compel, drive.
commendátio,-onis, f. recommendation.
crimen,-inis, n. crime.
débilis,-e, adj., weak.
essentiális,-e, adj., essential.
exísto,-ere, éxstiti, éxstitum, exist.
fállo,-ere, fefélli, fálsum, destroy.
fictio,-ónis, f. fiction.

filius, -i, m. *son*.
 fórma, -æ, f. *form*.
 fúror, -óris, m. *madness*.
 impossibilis, -e, adj., *impossible*.
 indúco, -ere, -dúxi, -dúctum, *induce*.
 instans, -ntis, adj., *present*.
 íra, -æ, f. *anger*.
 legális, -e, adj., *legal*.
 nómen, -inis, n, *name*.
 óbligo, -áre, -ávi, -atum, *bind*.
 ómnis, -e, adj., *all*.
 ópus, -eris, n. *superstructure, work*.
 privilégium, -i, n. *privilege*.
 régo, -ere, -réxi, rectum, *control, rule*.
 seu, conj., *or*.
 sólvo, -ere, sólvi, solútum, *free, release*.
 témpus, -oris, n. *time*.
 tráho, -ere, tráxi, tráctum, *to carry with*.

LESSON VII.

Fourth Declension.

25. Decline áctus, cásus. (103).

Learn present indicative active of fácio like)
cápio). (123).

26. 1. Ánnus lúctus.

2. In cásu extrémæ necessitátis ómnia sunt
commúnia.

3. Áctus légis fácit némini¹ injúriam.

4. Commúnis érror fácit jus.

5. Bréve judiciále non cádit pro deféctu fórmæ.

¹See 132, XIII.

6. Júra natúræ sunt immutabilia.
7. Lex próspicit, non réspicit.
8. Ángliæ júra in ómni cásu libertáti¹ dant favórem.
9. Non jus fácit sed seísina fácit stípitem.
10. Lex nil frústra fácit.
11. Excéptio próbat régulam.

27. áctus,-us, m. *act.*

aestimátio,-ónis, f. *estimate, value.*

ánnus,-i, m. *year.*

bréve,-is, n. *writ.*

cádo,-ere, cécedi, cásum, *fail.*

cásus,-us, m. *case, contingency.*

commúnis,-e, adj., *common.*

deféctus,-us, m. *defect, error.*

excéptio,-ónis, f. *exception.*

érror,-óris, m. *mistake, error.*

extrémus,-a,-um, adj., *dire, extreme, urgent.*

fácio,-ere, féci, fáctum, *do, make.*

fávor,-óris, m. *boon, preference.*

frústra, adv., *in vain.*

humánus,-a,-um, *human.*

immutábilis,-e, adj., *unchanging, immutable.*

judiciális,-e, *judicial.*

libertas,-átis, f. *liberty.*

lúctus,-us, m. *mourning.*

mánus,-us, f. *hand, custody.*

mórtuus,-a,-am, adj., *dead.*

próbo,-áre,-ávi,-átum, *prove.*

próspicio,-ere,-spéxi,-spéctum, *look forward.*

régula,-æ, f. *rule.*

respicio,-ere,-spéxi,-spéctum, *look backward.*

stípes,-itis, f. *root, stock.*

¹See 132, XIII.

LESSON VIII.

Fourth and Fifth Declensions.

28. Decline *contráctus, res, dies.* (103), (104).
Decline *fínis, ínteger, magíster.* (102), (107),
(99).

29. 1. *Contráctus est quási áctus cóntra áctum.*
2. *Execútio légis est fínis et frúctus légis.*
3. *Res íntegra.*
4. *Jus ad rem; jus in re.*
5. *Bóna fídes; bóna fíde.*
6. *Mála fíde.*
7. *Díes Domínicus non est jurídicus.*
8. *Senátus populúsque Románu.*
9. *Magíster rerum úsus; magístra rerum exper-
iéntia.*
10. *Ad perpétuam réi memóriam.*
11. *Fractiónem diéi¹ non récipit lex.*
12. *Cúrsus cúriæ est lex cúriæ.*

30. *contráctus, -us, m. contract.*
cúria, -æ, f. court.
cúrsus, -us, m. practice.
díes, -éi, m. day.
Domínicus, -a, -um, adj., of the Lord.
experíentia, -æ, f. experience.
fídes, -éi, f. faith.
fínis, -is, m. end.

¹ See 132, XI.

fráctio,-ónis, f. *fraction*.
frúctus,-us, m. *fruit*.
jurídicus,-a,-um, adj., *legal*.
magíster,-tri, m. *master*.
magístra,-æ, f. *mistress*.
memória,-æ, f. *memorial, memory*.
pars,-rtis, f. *part*.
perpétuus,-a,-um, adj., *continual*.
pópulus,-i, m. *people*.
quási, conj., *as if*.
res, réi, f. *thing, affair*.
Románus,-a,-um, adj., *Roman*.
senátus,-us, m. *senate*.
úsus,-us, m. *custom, use*.

LESSON IX.

Passive Voice.

31. Learn present indicative passive of **póndero**, **praesúmo**, **accípio**, **hábeo**. (120), (122), (121.)
32. 1. Injúria non præsúmitur.
2. Ponderántur téstes non numerántur.
3. Volúntas reputabátur pro fácto.
4. Ómnia præsúmúntur cóntra spoliatórem.
5. Volúntas in delictis non éxitus spectátur.
6. Vir et úxor in lége putántur úna persóna.
7. Útile per inútile non vitiátur.
8. Confirmátio est núlla íbi dónum præcédens¹
est inválidum.

¹See (131), IV.

9. Ubi nállum matrimónium íbi nálla dos.
 10. Res judicáta accípitur pro veritáte.
 11. Ambigúitas verbórum pátens nálla verifica-
 tíone exclúditur.
 12. Invíto benefícium non dátur.

33. accípio,-ere,-cépi,-céptum, *accept.*
 benefícium,-i, n. *benefit, advantage.*
 confirmátio,-ónis, f. *confirmation.*
 dos, dótis, f. *dower.*
 exclúdo,-ere,-clúsi,-clúsum, *explain, clear up.*
 éxitus,-us, m. *end, result.*
 íbi, adv., *there.*
 inválidus,-a,-um, adj., *invalid, void.*
 invítus,-a,-um, adj., *unwilling.*
 júdico,-áre,-ávi,-átum, *adjudicate.*
 número,-áre,-ávi,-átum, *count.*
 nállus,-a,-um, adj., *no (one).*
 pátens,-ntis, adj., *patent.*
 póndero,-áre,-avi,-átum, *weigh.*
 præcédens,-ntis, adj., *precedent.*
 præsómo,-ere,-súmpsi,-súmpsum, *presume.*
 púto,-áre,-ávi,-átum, *regard.*
 repúto,-áre,-ávi,-átum, *consider.*
 spoliátor,-óris, m. *wrongdoer.*
 téstis,-is, c. *witness.*
 únus,-a,-um, adj., *one.*
 úxor,-óris, f. *wife.*
 vérbum,-i, n. *word.*
 verificátio,-ónis, f. *proof.*
 véritas,-átis, f. *truth.*
 vir,-víri, m. *husband.*
 volúntas,-atis, f. *will.*

LESSON X.

- 34.** Learn present and perfect indicative active of *aúdio*, and the present indicative passive of *púnio*. (124).

Decline *prævéniens*, *próhibens*, *álder*, like *alius*. (108), (109).

- 35.** 1. *Térra tránsit cum ónere*¹.
 2. *Lex púnit mendácium*.
 3. *Némo punítur pro aliéno delícto*.
 4. *Convéntio et módus víncunt légem*.
 5. *Áctio non dátur non damnificáto*.
 6. *Justítia est dúplex ; sévère púniens et vére prævéniens*.
 7. *Lex est sáctio sácta, júbens honestátem et próhibens contrária*.
 8. *Sémper præsumitur pro matrimónio*.
 9. *Sémper præsumitur pro legitimatióne puerórum*.
 10. *Lex réjicit supérflua, pugnántia, incóngrua*.
 11. *Aéquitas núnquam contravénit léges*.
 12. *Aúdi álteram pártém*.

- 36.** *aliénus*, -a, -um, adj., *another's*.
álder, -a, -um, adj., *other*.
aúdio, -ire, -ívi(-íi), -ítum, *hear*.
contrárius, -a, -um, adj., *opposite*.
contravénio, -ire, -i, -véntum, *thwart, run counter to*.

¹See 132, XVII.

convéntio,-ónis, f. *contract*.

cum, prep. with abl., *with, in company with*.

damnificátus,-a,-um, adj., *injured, damnified*.

dúplex,-icis, adj., *two-fold*.

honéstas,-átis, f. *honesty*.

incóngruus,-a,-um, adj., *incongruous*.

júbeo,-ére, jússi, jússum, *command*.

legitimátio,-ónis, f. *legitimacy*.

mendácium,-i, n. *falsehood*.

módus,-i, m. *agreement*.

ónus,-eris, n. *incumbrance*.

pars,-rtis, f. *side*.

prævénió,-íre,-i,-véntum, *prevent by anticipating*.

prohíbeo,-ére,-ui,-itum, *prevent*.

púer,-eri, c. *child*.

púgno,-áre,-ávi,-átum, *conflict*.

púnio,-íre,-ívi(-íi),-ítum, *punish*.

rejicio,-ere,-jéci,-jéctum, *refuse, reject*.

sáncio,-ónis, f. *oath*.

sáncus,-a,-um, adj., *sacred*.

sevére, adv., *severely*.

supérfluus,-a,-um, adj., *superfluous*.

tránseo,-íre,-ívi(-íi),-ítum, *pass*.

vére, adv., *truly*.

vinco,-ere, víci, víctum, *overcome*.

LESSON XI.

Perfect Passive Participle. Gerund.

- 37.** Learn the perfect passive participle of *géro* and the gerund of *fúro*.

Learn perfect indicative active of *cápio* (**123.**)

- 38.**
1. *Stáre decísis.*
 2. *De bónis non administrátis.*
 3. *Non est informátus.*
 4. *Ónus probándi.*
 5. *Ánimo furándi; ánimo testándi.*
 6. *Mála próhíbita.*
 7. *Jus scríptum aut non scríptum.*
 8. *Claúsulæ inconsuétæ sémper indúcant suspiciónem.*
 9. *Éxtra légem pósito est civíliter mórtuus.*
 10. *Cépi córpus et ést languídu.*
 11. *Cépi córpus et parátum hábeo.*
 12. *Res géstæ.*

- 39.** *ágo,-ere,-égi,-áctum, transact.*
cápio,-ere,-cépi,-cáptum, take.
civíliter, adv., civilly.
claúsula,-æ, f. clause.
decído,-ere,-ídi,-císum, decide.
decísu,-i, n. decision.
fúror,-ári,-átus sum, steal.
géro,-ere,-géssi,-géstum, transact.
indúco,-ere,-dúxi,-dúctum, excite.

inconsuétus,-a,-um, adj., *unusual*.

infórmo,-áre,-ávi,-átum, *inform*.

languídus,-a,-um, adj., *sick*.

páro,-áre,-ávi,-átum, *prepare*.

póno,-ere, pósui, pósito, *place*.

scribo,-ere,-scripsi, scriptum, *write*.

sto, stáre, stéti, státum, *stand, abide*.

suspicio,-ónis, f. *suspicion*.

téstor,-ári,-átus sum, *make a will*.

LESSON XII.

Deponent Verbs.

40. Learn present indicative of séquor (125), mórior.

41. 1. Justítia¹ firmáthur sólum.
 2. Aéquitas légem séquitur².
 3. Lex úno óre ómnes allóquitur.
 4. Áctio personális móritur cum persóna.
 5. Lex aliquándo séquitur aequitátem.
 6. Rēx nūquam móritur.
 7. Ex dólō málo áctio non óritur.
 8. Ex nūdo pácto áctio non óritur.
 9. Dórmunt léges aliquándo, nūquam mori-
 untur.
 10. Accessórium non dúcit, sed sequitur sūum
 principále.
 11. Lex non óritur ex injúria.
 12. Servítia personália sequúntur persónam.

¹ See (132), XVII.

² See (132), XXXV.

- 42.** *accessórium*, -i, n. *accessory*.
aliquándo, adv., *sometimes*.
allóquor, -lóqui, -locútus sum, *address, speak to*.
dólum, -i, n. *device*.
dórmio, -íre, -ívi(-íi), -ítum, *sleep*.
dúco, -ere, dúxi, dúctum, *lead*.
fírmo, -áre, -avi, -átum, *strengthen*.
mórior, -i(-íri), mórtuus sum, *die*.
núdus, -a, -um, *naked*.
órior, -íri, órtus sum, *arise, accrue*.
os, -óris, n. *voice*.
personális, -e, adj., *personal*.
principále, -is, n. *principal*.
séquor, -i, secútus sum, *follow*.
servítia, -órum, n. plur. *services*.
sólium, -i, n. *throne*.
súus, -a, -um, poss. pron., *his*.

LESSON XIII.

The Second Periphrastic Conjugation.

- 43.** Learn in this conjugation the present tense of *negándus esse*.²
- 44.** 1. *Lex non a rége*¹ *est violánda*.²
 2. *Justítia némini negánda est*.
 3. *Fácultas probatiónum non est angustánda*.
 4. *In novo cásu nóvum remédiu[m] apponéndu[m] est*.

¹ See 132, XXII.

² See 132, XXXIV.

5. Consuetúdo observánda est.
6. Álegans contrária non est audiéndus.
7. Álegans súam turpitúdinem non est audiéndus.
8. Mens testatóris in testaméntis spectánda est.
9. Allegátio contra fáctum non est admitténda.
10. Fídes servánda est.
11. Débitum in præsénti, solvéndum in futúro.
12. Generális régula generáliter est intelligénda.

45. admítto,-ere,-mísi, míssum, *admit.*

allegátio,-ónis, f. *allegation.*

állego,-áre,-ávi,-átum, *allege.*

angústó,-áre,-ávi,-átum, *restrict, limit.*

appóno,-ere,-pósui,-pósitum, *apply.*

aúdio,-íre,-ívi-(íi),-ítum, *hear.*

débitum,-i, n. *debt.*

divíno,-áre,-ávi,-átum, *prophecy, forecast, foretell.*

fácultas,-átis, f. *opportunity.*

generális,-e, adj., *general.*

generáliter, adv., *generally.*

intélligo,-ere,-léxi,-léctum, *understand, interpret.*

mens,-ntis, f. *intent.*

négo,-áre,-ávi,-átum, *observe.*

præésens,-ntis, adj., *present.*

probátio,-ónis, f. *proof.*

sérvo,-áre,-ávi,-átum, *keep, preserve.*

víolo,-áre,-ávi,-átum, *disregard.*

LESSON XIV.

Deponents and Second Periphrastic Conjugation.

46. Learn present indicative of **méreo**, **admittendus** **esse**.

47. 1. **Ex fácto jus óritur.**
 2. **Ad rem lóquitur.**
 3. **Cogitátionis poénam némo merétur.**
 4. **Mobília persónam sequúntur.**
 5. **Pártus séquitur véntrem.**
 6. **In vérbis, non vérba sed res et rátio quæ-
 rénda est.**
 7. **Fraus est odiósa et non præsuménda est.**
 8. **In república máxime conservánda sunt júra
 bélli.**
 9. **Juraméntum est indivisíbile et non est
 admitténdum in parte vérum et in parte
 fálsum.**
 10. **Débita sequúntur persónam debitóris.**
 11. **Ex túrpe caúsa non óritur caúsa.**
 12. **Júdex est lex lóquens.**

48. **béllum, -i, n. war.**
cogitátio, -ónis, f. thought.
consérvo, -áre, -ávi, -átum, observe, regard.
débitor, -óris, m. debtor.
ex, prep. w. abl., from.
indivisíbilis, -e, adj., indivisible.
júdex, -icis, m. judge.
juraméntum, -i, n. oath.
lóquor, -i, locútus sum, speak.

máxime, adv., *especially*.

méreur,-éri, méritus sum, *deserve*.

mobília,-ium, n. plur., *furniture, movables*.

odiósus,-a,-um, adj., *odious*.

pártus,-us, m. *offspring*.

poéna,-æ, f. *punishment*.

quaéro,-ere, quaésivi(-ii), quaésitum, *inquire into*.

rátio,-ónis, f. *reason*.

respública,-ei,-æ, f. *republic*.

túrpis,-e, adj., *base*.

vénter,-tris, f. *womb, mother*.

vérus,-a,-um, adj., *true*.

LESSON XV.

Relative Pronouns.

49. Decline qui (117).

- 50.
1. Qui¹ non improbat, approbat.
 2. Nemo dat qui non habet.
 3. Quod necessitas cogit, defendit.
 4. Qui sentit commodum, debet et sentire onus,
et e contra.
 5. Qui haeret in litera, haeret in cortice.
 6. Quod ab initio non valet, in tractu temporis
non convalescit.
 7. Error qui non restituitur approbatur.

¹See 132, V.

8. Quod vānum et inútile est, lex non requirit.
 9. Quod non appáret, non est.
 10. Haéres legítimus est quem núptiæ demónstrant.
 11. Páter est quem núptiæ demónstrant.
 12. Fatétur fácinus qui judícium fúgit.

51. appáreo,-ére,-ui,-itum, *appear*.
 apróbo,-áre,-ávi,-átum, *approve*.
 commódum,-i, n. *advantage, benefit*.
 convaléscó,-valéscere,-válui, —, *gather strength*.
 córtex,-icis, m. and f. *bark*.
 débeo,-ere,-ui,-itum, *ought*.
 deféndo,-ere,-di,-sum, *defend*.
 demónstro,-áre,-ávi,-átum, *indicate*.
 et, adv., *also*.
 fácinus,-oris, n. *crime*.
 fáteor,-éri, fássus sum, *confess*.
 fúgio,-ere, fúgi, fúgitum, *fly from*.
 haéreo,-ere, haési, haésus, *cling to*.
 improbo,-áre,-ávi,-átum, *blame*.
 legítimus,-a,-um, adj., *legal, lawful*.
 lítera,-æ, f. *letter*.
 núptiæ,-arum, f. plur. *marriage*.
 qui, quæ, quod, rel. pron., *who, which*.
 requíro,-ere,-quisívi(-íi),-quisitum, *require*.
 restituo,-úere,-ui, útum, *correct*.
 séntio,-tíre,-si,-sum, *enjoy, bear*.
 vānus,-a,-um, adj. *vain*.

LESSON XVI.

Personal and Intensive Pronouns.

52. Decline *súi* and *ipse* (115), (116).

- 53.**
1. Qui fácit per álium fácit per se.
 2. Qui non hábet potestátem alienándi hábet necessitátem retinéndi.
 3. Quod non hábet princípium, non hábet ínem.
 4. In cúria Dómini régis, ípse in própria persóna júra discérnit.
 5. Nihil quod inconveniēns est licitum.
 6. In ómni re náscitur res quae ípsa rem extérminat.
 7. In traditió nibus scriptórum, non quod dictum est sed quod géstum est inspíci tur.
 8. Frústra probátur quod probátum non rélevat.
 9. Málum in se.
 10. Crímen ómnia ex se náta vítiat.
 11. Bis dat qui cíto dat.

54. aliéno,-áre,-ávi,-átum, *alienate*.

bis. num, adv., *twice*.

cíto, adv., *quickly*.

díco,-ere, díxi, dictum, *say*.

discérno,-ere,-crévi,-crétum, *dispense*.

extérmino,-áre,-ávi,-átum, *destroy*.

inspício,-ere,-spéxi,-spéctum, *look into, examine*.

ipse,-a,-um, demons. pron., *himself, herself, itself.*

licitus,-a,-um, *lawful, legal.*

nāscor,-i,-nātus sum, *generate, arise, be born.*

nil, nīhil, indecl. n. *nothing.*

potestas,-ātis, f. *power.*

princípium,-i, n. *beginning.*

proprius,-a,-um, *one's own, peculiar.*

rélevo,-āre,-āvi,-ātum, *be relevant.*

retíneo,-ére,-ui, reténtum, *hold.*

scriptum,-i, n. *deed.*

súi, gen. of reflex. pron., *of himself, herself, etc.*

tradítio,-ónis, f. *delivery.*

LESSON XVII.

Demonstrative and Indefinite Pronouns.

55. Decline is, ídem, quis, quilibet. (116), (117).

- 56.
1. Nemo bis punítur pro eódem delícto.
 2. Cújus sólum, éjus est úsque ad coélum; et ad ínferos.
 3. Éi incúmbit probátio qui dícit, non qui négat.
 4. Qui in útero est, pro jam náto habétur, quóties de éjus commódo quaéritur.
 5. Úbi éadem rátio íbi ídem lex, et de simílibus ídem est judícium.
 6. De non apparéntibus et de non existéntibus éadem est rátio.
 7. In quo quis delínquit, in éo de júre est puniéndus.

8. Jus naturále est quod ápuđ ómnes homines
eándem poténtiam hábet.

9. Jus est nóрма récti; et quícquid est cóntra
nórmam récti est injúria.

10. Felónia implicátur in quálibet prodiçãoe.

57. ápuđ, prep. w. acc., *among*.

coélum,-i, n. *sky*.

commódum,-i, n. *benefit*.

de, prep. w. abl., *according to*.

delínquo,-ere,-líqui,-lictum, *be wanting, offend*.

díco,-ere,-xi,-ctum, *affirm*.

felóniá,-æ, f. *felony*.

hábeo,-ére,-ui,-itum, *hold, consider*.

ídem, éadem, ídem, demons. pron., *the same*.

implico,-áre,-ávi(-ui),-átum(-itum), *imply*.

incúmbo,-ere,-cúbui,-cúbitum, *rest upon*.

íferus,-a-um, adj., *belonging to the Lower
World*.

injúria,-æ, f. *wrong*.

is, éa, id, demons. pron., *he, she, it, this, that*.

naturális,-e, adj., *natural*.

nóрма,-æ, f. *rule*.

poténtia,-æ, f. *power*.

prodição,-onis, f. *treason*.

quílibet, quaélibet, quódlíbet, indef. pron., *any
kind of*.

quísquis, quaéquæ, quícquid, indef. pron., *any-
thing, something*.

rátio,-ónis, f. *rule, reason*.

réctum,-i, n. *right, truth*.

símilis,-e, adj., *like*.

sólum,-i, n. *soil*.

úsque, adv. *all the way up to*.

úterus,-i, m. *womb*.

LESSON XVIII.

Subjective and Complementary Infinitive.

58. Note present infinitives active and passive of all conjugations. (120), (121), (122), (123), (124).
59. 1. Cújus¹ est dáre, éjus est dispónere.
 2. Ídem níhil dícere et insufficiénter dícere.
 3. Mérito beneficium légis amíttit qui légem, ípsam subvértere inténdit.
 4. Nemo admitténdus est inhabilitáre se ípsum.
 5. Árbor dum créscit; lígnum cum créscere néscit.
 6. Fraús est celáre fraudem.
 7. Áqua cúrrit et débet cúrrere.
 8. Id quod commúne est, nóstrum esse dícitur.
 9. Judícium non débet illusórium; súum efféc-tum habére débet.
 10. Jus dícere, non jus dáre.
 11. Cóntra non valéntem ágere núlla cúrrit præscrípítio.
 12. Nemo se accusáre débet, nísi córam Déo.
60. accúso,-áre,-ávi,-átum, *accuse*.
 amítto,-ere, amísi, amíssum, *lose*.
 áqua,-æ, f. *water*.
 árbor,-óris, f. *tree*.
 célo,-áre,-ávi,-átum, *conceal*.
 créscó,-ere,-crévi, crétum, *grow*.

¹ See 132, XII.

cum, conj., *when*.

cúrro, -ere, *cucúrri*, *cúrsum*, *run*.

dispóno, -ere, -*pósui*, -*pósitum*, *dispose*.

efféctum, -i, n. *effect*.

illusórius, -a, -um, adj., *illusory*.

inhabilito, -áre, -ávi, -átum, *incapacitate*.

*insufficiénte*r, adv., *insufficiently*.

inténdo, -dere, -di, -tum(-sum), *strive*.

lígnum, -i, n. *wood*.

mérito, adv., *deservedly*.

nísi, conj., *unless*.

néscio, -scíre, -scívi, (scii), -scítum, *cease, be unable*.

nóster, -tra, -trum, poss. pron., *our, ours*.

præscriptio, -ónis, f. *prescription*.

subvérto, -ere, -ti, -sum, *overturn*.

váleo, -ere, -ui, —, *be able to act*.

súus, -a, -um, pass. pron., *his, her, its*.

LESSON XIX.

61. Subjective and Complementary Infinitive.— Continued.

62. 1. *Júdíces non tenéntur exprímere caúsam senténtiæ súæ.*
 2. *Júdicis*¹ *est judicáre secúndum allegáta et probáta.*
 3. *Juráre est Déum in téstemvo cáre; et est-áctus divíni cúltus.*

¹See 132, XII.

4. Bóni júdicis¹ lítes dirímere est.
5. Cásus fortúitus non est spectánda et nemo tenétur divináre.
6. Nemo tenétur armáre adversárium cóntra se.
7. Débitor non præsúmitur donáre.
8. Nemo débet júdex in própria caúsa.
9. Rex non débet judicáre, sed sécundum légem.
10. Scríbere est ágere.
11. Vérba débent intélligi cum efféctu.
12. Bóni júdicis¹ est ampliáre jurisdíctionem.

63. ámplio,-áre,-ávi,-átum, enlarge.

ármó,-áre,-ávi,-átum, *arm.*

cásus,-us, m. *event.*

cúltus,-us, m. *worship.*

dirímo,-ímere,-émi,-éemptum, *remove.*

divínus,-a,-um, adj., *divine.*

dóno,-áre,-ávi,-átum, *give.*

fortúitus,-a,-um, adj., *fortuitous.*

júdico,-áre,-ávi,-átum, *judge.*

jurisdíctio,-ónis, f. *jurisdiction.*

júro,-áre,-ávi,-átum, *swear.*

prétium,-i, n. *price.*

senténtia,-æ, f. *opinion.*

véndo,-ere, véndidi, vénditum, *sell.*

¹See 132, XII.

LESSON XX.

Regular Comparison of Adjectives.

64. For comparison vid. (110).

65. 1. Fírmior et poténtior est operátio légis quam dispositio hóminis.
 2. Fórtior est custódia légis quam hóminis.
 3. Lex tutíssima cássis, sub clypeo légis nemo decípitur.
 4. Dómus sua cuique¹ tutíssimum refúgium.
 5. Testaménta latíssimum interpretatiónem habére débent.
 6. In criminálibus probatiónes débent esse clarióres luce².
 7. Lex est exércitus júdicium tutíssimus dúctor.
 8. Peccáta cóntra natúram sunt gravíssima.
 9. Non est árcetius vínculum inter hómines quam jusjurándum.
 10. Arguméntum ab auctoritaté fortíssimum est in lége.
 11. Ómnia delícta in apérto levióra sunt.
 12. In pári delícto pótiór est condítio possidéntis.

66. apértus,-a,-um, adj., *open*.
 árcetus,-a,-um, adj., *binding*.
 auctóritas,-átis, f. *authority*.
 cássis,-idis, f. *helmet*.

¹See 132, XIV.

²See 132, XXI.

clárus,-a,-um, adj., *clear, plain.*

clypeus,-i, m. *protection.*

condítio,-ónis, f. *condition.*

criminális,-e, *criminal.*

decipio,-ere,-cépi,-céptum, *deceive, impose upon.*

dispositio,-ónis, f. *disposition.*

dómus,-i,-(us), f. *house.*

dúctor,-óris, m. *leader.*

exércitus,-us, m. *army.*

fírmus,-a,-uni, adj., *strong.*

fórtis,-e, adj., *powerful.*

grávis,-e, adj., *severe, heinous.*

hómo,-inis, c. *man.*

interpretátio,-onis, f. *construction, interpretation.*

jusjurándum,-ris,-i, n. *oath.*

látus,-a,-um, *liberal, broad.*

lux,-lúcis, f. *light.*

operátio,-ónis, *operation.*

peccátum,-i, n. *crime.*

pó tens,-ntis, adj., *powerful.*

pótis,-e, adj., *powerful.*

refúgium,-i, n. *refuge.*

vínculum,-i, n. *link.*

LESSON XX I.

Irregular Comparison of Adjectives.

67. For irregular comparison vid. (111.)
- 68.
1. Óptima légum ínterpres est consuetúdo.
 2. Léges posteriôres priôres contrárias ábro-gant.
 3. Arguméntum ab impoténtia plúrimum válet in lége.
 4. Máximus erróris pópulus magíster est.
 5. Mélior est condítio possidéntis úbi neúter hábet jus.
 6. Natúra vis máxima est.
 7. Contemporánea expositio est óptima et for-tíssima in lége.
 8. De mínimis lex non cúrat.
 9. Catállá reputabántur ínter mínima in lége.
 10. Conféssio, fácta in júdicio, ómni probatióne májor est.
 11. Necéssitas públicá est májor quam priváta.
 12. In æquáli júre mélior est condítio possi-déntis.
69. ábrogo,-áre,-ávi,-átum, *repeal, abrogate.*
 æquális,-e, adj., *equal.*
 catállum,-i, n. *chattel.*
 conféssio,-ónis, f. *confession.*
 contemporáneos,-a,-um, adj., *contemporaneous.*
 cúro,-áre,-ávi,-átum, *bother with, care for.*

expositio,-onis, f. *interpretation*.
 impoténtia,-æ, f. *impotence*.
 intérpres,-etis, c. *interpreter*.
 mágnus,-a,-um, adj., *large, great*.
 máter,-tris, f. *mother*.
 múltus,-a,-um, adj., *much, many*.
 párvus,-a,-um, adj., *small*.
 postérior,-ius, adj., *following*.
 póssidens,-ntis, c. *possessor*.
 primus,-a,-um, adj., *first*.
 privátus,-a,-um, adj., *private*.
 públicus,-a,-um, adj., *public*.

LESSON XXII.

Irregular Comparison of Adjectives.—Continued. (111.)

- 70.
1. Ácta exterióra indicant interióra secréta.
 2. Judíciis posterióribus fídes est adhibénda.
 3. Impúnitas sémper ad deterióra invítat.
 4. Mors dícitur últimum supplicium.
 5. Qui prior est témpore pótior est júre.
 6. In júre non remóta cáusa sed próxíma spectátur.
 7. Sálus pópuli est supréma lex.
 8. Május cóntinet mínus.
 9. Última volúntas testatóris est perimplénda
secúndum véram intentiónem súam.
 10. Május est delíctum se ípsam occídere quam
álium.

11. Summa râtio est quæ pro religiône facit.

12. Óptimus intérpres est úsus.

71. áctum,-i, n. *act*.

adhíbeo,-ere,-híbui,-híbitum, *give to*.

contíneo,-ére,-ui,-téntum, *contain*.

(déterus, not used) detérior,-ius and superl.,
adj., *bad*.

éterus,-a,-um, *outward*.

fídes,-ei, f. *credit*.

impúnitas,-átis, f. *impunity*.

índico,-áre,-ávi,-átum, *indicate, reveal*.

inténtio,-ónis, f. *intention*.

(ínterus, not used) intérior,-ius and superl.
adj., *within*.

occído,-ere,-cídi,-císium, *kill*.

perímpleo,-ére,-évi,-étum, *carry out, execute*.

pósterus,-a,-um, adj., *following*.

própior,-ius, compar. adj., *nearer*.

quam, adv., *than*.

relígio,-ónis, f. *religion*.

remótus,-a,-um, adj., *remote*.

sálus,-útis, f. *safety*.

secrétum,-i, n. *secret*.

sémper, adv., *always*.

súperus,-a,-um, adj., *above*.

supplícium,-i, n. *punishment*.

témpus,-oris, n. *time*.

ultérior,-ius, compar. adj., *farther*.

LESSON XXIII.

Comparison of Adverbs.

72. Formation and comparison of adverbs. (112)
- 73.
1. Júdex non réddít plus quam quòd pétens ípse requírat.
 2. Vérba chartórum fórtius accipiúntur cóntro proferéntem.
 3. Plus válet únus oculátus téstis quam auríti decem.
 4. Ad éa quæ frequéntius áccidunt júra adaptántur.
 5. In re dúbia mágis inficiátio quam affirmátio intelligénda.
 6. Múlta exercitatióne facílius quam régulis percípies.
 7. Cum dúo ínter se pugnántia reperiúntur in testaméntis, últimum rátum est.
 8. In testaméntis plénius testatóris intentiónem scrutámur.
 9. Lex plus laudátur quándo ratióne probatióne.
 10. Quod prius est vérus et quod prius est témpore pótius est júre.
 11. Interpretáre et concordáre léges légibus est óptimus interpretándi módus.
 12. Rex est májor singulis, mínor univérsis.
74. áccido,-ere,-cidi, —, *happen*.
adápto,-áre,-ávi,-átum, *suit, adapt*.

affirmátio,-ónis, f. *affirmation*.

aurítus,-i, m. *ear witness*.

concórdo,-áre,-ávi,-átum, *reconcile*.

décem, indecl. adj., *ten*.

dúbius,-a,-um, adj., *doubtful*.

dúo, **dúæ**, **dúo**, num. adj., *two*.

exercitátio,-ónis, f. *exercise, practice*.

fácile, adv., *easily*.

fréquens,-ntis, adj., *frequent*.

inficiátio,-ónis, f. *negative*.

intérpreto,-áre,-ávi,-átum, *interpret*.

laúdo,-áre,-ávi,-átum, *praise*.

módus,-i, m. *method*.

occulátus,-i, m. *eye witness*.

percípio,-ere,-cépi,-céptum, *perceive*.

pléne, adv., *especially*.

próbo,-áre,-ávi,-átum, *suppose*.

prófero,-férre,-tuli,-látum, *offer*.

rátus,-a,-um, *considered*.

réddo,-ere,-didi,-ditum, *give*.

requíro,-ere,-síví(-íi),-sítum, *ask*.

scrútor,-ári,-átus sum, *scrutinize*.

sínguli,-æ,-a, adj., *individuals*.

univérsus,-a,-um, adj., *everybody*.

LESSON XXIV.

Posse.

75. Learn the present indicative of **pósse.** (127).

76. 1. Nemo póttest plus júris¹ ad álium transférre quam ipse hábet.

2 Meliorem conditiónem súam fácere póttest mínor, deteriorem nequáquam.

3. Derivatíva potéstas non póttest esse májor primitíva.

4. Consénsus non concúbitus fácit matrimónium; et consentire non póssunt ánte ánnos núbiles.

5. Júdex non póttest ésse téstis in própria caúsa.

6. Júdex non póttest injúriam síbi dátam puníre.

7. Lex non defícere póttest in justítia exhibénda.

8. In álta prodióne núllus póttest esse acces-sórius sed principális solummódo.

9. Déus sólus hærédem fácere póttest, non hómo.

10. Nemo póttest fácere per álium quod per se non póttest.

11. Núllus commódum cápere póttest de súa injúria.

77. accessórius,-a,-um, adj., *accessory*.
ánnus,-i, n. *year*.

¹ See 132, XI.

ánte, prep. w. acc., *before*.
 cápio,-ere, cépi, cáptum, *receive*.
 concúbitus,-us, m. *cohabitation*.
 consénsus,-us, m. *consent*.
 conséntio,-tíre,-si,-sum, *consent*.
 deficio,-ere,-féci,-fécum, *fail*.
 derivatíous,-a,-um, adj., *derived*.
 exhibeo,-ere,-ui,-ium, *mete out, dispense*.
 nequáquam, adv., *never*.
 núbilis,-e. adj., *marriageable*.
 póssum, pósse, pótui, —, *be able*.
 pótestas,-átis, f. *power*.
 primitívus,-a,-um, adj., *original*.
 principális,-is, m. *principal*.
 solummodó, adv., *only*.
 tránsfero,-férre,-tuli,-látum, *transfer*.

LESSON XXV.

Posse, Prodesse, Deesse.

78. Learn present indicative of *prodésse* and *dé-esse* (128).
79. 1. Nemo pótest cóntia recórdum verificáre per pátriam.
 2. Qui pótest et débet vetáre, et non vétat, júbet.
 3. Nemo pótest consílium súum in alteríus in-júriam.
 4. Úbi non est principále non ésse pótest acces-sórius.

5. Rex quod injústum est fácere non pótest.
6. Félix qui pótnit rerum cognóscere caúsas.
7. Jusjurándum ínter álios fáctum nec nocére
nec prodésse débet.
8. Ómnis innovátio plus novitáte pertúrbat
quam utilitáte pródest.
9. Qui non óbstat quod obstáre pótest fácere
vidétur.
10. Nil fácit érror nóminis, cum de córpore cón-
stat.
11. Quod necessárie intelligitur id non déest.
12. Senténtia interlocutária revocári pótest, de-
finitíva non revocári.

80. álter,-era,-erum, adj., *another*.
 cognóscó,-ere,-novi,-nitum, *ascertain*.
 consílium,-i, n. *plan*.
 cónsto,-áre,-stiti,-státum, *appear*.
 córpus,-oris, n. *person*.
 désúm,-ésse,-fui, —, *be wanting*.
 definitívus,-a,-um, adj., *final*.
 félix,-icis, adj., *fortunate*.
 injústus,-a,-um, adj., *unjust*.
 innovátio,-ónis, f. *innovation*.
 interlocutárius,-a,-um, adj., *interlocutory*.
 júbeo,-ére, jússi, jússum, *command*.
 múto,-áre,-ávi,-átum, *change*.
 nec, conj., *nor*.
 necessárie, adv., *necessarily*.
 nóceo,-ére,-ui,-itum, *do harm*.
 nómen,-inis, n. *name*.
 nóvitas,-átis, f. *novelty*.
 óbsto,-áre,-stiti,-státum, *prevent*.
 pátria,-æ, f. *country, jury*.
 pertúrbo,-áre,-ávi,-átum, *disarrange*.

prósum, prodésse, prófui, —, *do good.*

principále,-is, n. *principal.*

recórdum,-i, n. *record.*

revóco,-áre,-ávi,-átum, *recall.*

senténtia,-ae, f. *decree, judgment.*

utilitas,-átis, f. *utility.*

verifico,-áre,-ávi,-átum, *verify.*

véto,-áre,-ui,-itum, *forbid.*

LESSON XXVI.

Fieri. Ire.

81. Learn present indicative of *fieri* and *ire* (130).

82. 1. Ex præcedéntibus et consequéntibus óptima fit interpretátio.
 2. Volénti non fit injúria.
 3. Mentíri est cóntra méntem íre.
 4. Lónga posséssio haéret jus possidéndi et tóllit actiónem véro dómíno.
 5. Interrúptio múltiplex non tóllit præscriptiónem sémel obténtam.
 6. Consénsus tóllit errórem.
 7. Súbsequens matrimónium tóllit peccátum præcédens.
 8. Poéna pótest tólli, cúlpa perénis est.
 9. Quóties in verbis núlla est ambigúitas íbi núlla expositio cóntra expréssa fiénda est.
 10. Delegátus potéstas non pótest delegári.
 11. Mínor juráre non pótest.
 12. Ex níhil nil fit.

83. cónsequens,-ntis, adj., *following*.
 cúlpa,-æ, f. *guilt, crime*.
 delegátus,-a,-um, adj. *conferred, delegated*.
 éo, íre, ívi, (ii), ítum, *go*.
 expositio,-ónis, f. *exposition*.
 éxprimo,-ere,-préssi,-préssum, *express*.
 fíio, fíeri, fáctus sum, *become, be made*.
 mens,-ntis, f. *mind*.
 méntior,-íri,-ítus sum, *lie*.
 múltiplex,-icis, adj., *multiplex*.
 obtíneo,-ére,-ui,-ntum, *acquire*.
 peccátum,-i, n. *wrong, fault*.
 perénnis,-e, adj., *perpetual*.
 præcédens,-ntis, n. *precedent*.
 quóties, adv., *as often as*.
 rúo,-ere, rúi, rútum, *fall*.
 sémel, adv., *once*.
 súbsequens,-ntis, adj., *subsequent*.
 tóllo,-ere, sústuli, sublátum, *remove*.
 vólo, vélle, vólui, —, *wish*.

LESSON XXVII

Præferre.

84. Learn present indicative of *praéfero*. (131).
85. 1. Cértum est quod cértum réddi póttest.
 2. Lex nou nóvit pátre[m] nec mátre[m]; sólam veritátem.
 3. Lex Ángliæ núnquam síne Parliaménto mu-
 táre non póttest.
 4. Nemo póttest ésse ténens et dóminus.
 5. Nemo cóntra fáctum súum veníre póttest.
 6. Rex non póttest peccáre.

7. Qui tacet, consentire videtur.
8. Benignior sententia in verbis generalibus seu dubiis est præferenda.
9. Omne sacramentum debet esse de certa scientia.
10. Quando jus domini regis et subditi concurrunt, jus regis præferri debet.
11. Lex citius tolerare vult privatum damnum quam publicum malum.
12. Filiatio non potest probari.

86. **benignus**, -a, -um, adj., *favorable*.
certus, -a, -um, adj., *certain*.
cito, adj., *quickly*.
concurro, -ere, -curre, -cursum, *concur*.
dubius, -a, -um, adj., *ambiguous, doubtful*.
filiatio, -onis, f. *copulation, affiliation*.
generalis, -e, adj., *general*.
malum, -i, n. *misfortune*.
nosco, -ere, **novi**, **notum**, *recognize*.
Parliamentum, -i, n. *Parliament*.
præfero, -ferre, -tuli, -latum, *prefer*.
quando, adv., *when*.
reddo, -dere, -didi, -ditum, *make*.
sacramentum, -i, n. *oath*.
scientia, -æ, f. *knowledge*.
sententia, -æ, f. *construction*.
subditus, -i, m. *subject*.
solus, -a, -um, adj., *alone*.
tenens, -ntis, c. *tenant*.
tolero, -are, -avi, -atum, *permit*.
venio, -ire, -veni, -ventum, *go*.
veritas, -atis, f. *truth*.
videor, -eri, visum est, *seem, appear*.

LESSON XXVIII.

Verbs Controlling Special Cases.

37. 1. Nemo prohibétur plúribus defensió nibus úti.
 2. Alienátio réi præfértur júri accrescéndi.
 3. Bónus júdex secúndum aéquum et bónum júdicat et æquitátem strícto júri præfért.
 4. Júra pública anteferénda privátis (júribus).
 5. Jús accrescéndi onéribus præfértur.
 6. Vigilántibus et non dormiéntibus subvéniunt.
 7. Actóri incúmbit ónus probándi.
 8. Assignátus útitur júre anctóris.
 9. Lex succúrrit ignoránti.
 10. Minátur innocéntibus qui párcit nocéntibus.
 11. Res ínter álios ácta álteri nocére non débet.
 12. Bóni júdicis est júdicium síne dilátióné maudáre executióni.

88. abúndans,-ntis, adj., *abundant*.
 accrésco,-ere,-évi,-étum, *increase*.
 áctor,-óris, m. *plaintiff*.
 aéquus,-a,-um, adj., *just*.
 alienátio,-óris, f. *alienation*.
 antéfero,-férre,-tuli,-látum, w. dat., *prefer*.
 assignátus,-i, m. *assignee*.
 aúctor,-óris, m. *assignor*.
 cautéla,-æ, f. *caution*.
 defénsio,-ónis, f. *defense*.
 dórmiens,-ntis, c. *sleeping person*.
 ignorántia,-æ, f. *ignorance*.

incámbo,-ere,-cábui,-cúbitum, w. dat., *rest upon*.

innocens,-ntis, c. *innocent person*.

mínor,-ári,-átus sum, *threaten*.

nócens,-ntis, c. *a wrong-doer, guilty person*.

praéfero,-férre,-tuli,-látum, *prefer*.

párco,-ere, pepérci (pársi), párcitum or **pársum**, w. dat., *spare*.

prohíbeo,-ére,-ui,-itum, *prevent*.

subvénio,-íre,-i,-tum, w. dat., *come to the aid of*.

succúrro,-ere,-i,-cúrsum, w. dat., *come to the aid of*.

útor, úti, úsus sum, w. abl., *enjoy, use*.

vigilans,-ntis, c. *watchful person*.

LESSON XXIX.

Verbs Controlling Special Cases.—Continued.

89. 1. Quicquid plantátur sólo, sólo cédit.
 2. Quod cónstat cúriæ ópere téstium non indiget.
 3. Vérba intentióni, non e cótra, débent inservíre.
 4. Absolúta senténtia expositióne non indiget.
 5. Inténtio inservíre débet légibus, non léges intentióni.
 6. Pácta priváta júri público non derogáre pòssunt.
 7. Convéntio privatórum non pòtest público júri derogáre.

8. Lex non fávet delicatórum vótis.
 9. Nemo præsumitur esse immemor suæ æternæ salutis, et máxime in artículo mórtis.
 10. Fictio cédit veritati; fictio júris non est úbi véritas.
 11. Abúndans cautéla non nócet.
 12. Aedificáre in túo próprio sólo non lícet quod álteri nócet.
 13. Nemo cógitur súam rem véndere étiam jústo prétio.
90. absolútus,-a,-um, adj., *absolute*.
 ac, conj., *and*.
 artículus,-i, m. *article, moment, grasp*.
 cédo,-ere, céssi, céssum, *pass, go*.
 convéntio,-ónis, f. *convention, contract*.
 delicátus,-i, m. *dainty person*.
 dérogo,-áre,-ávi,-átum, *detract from*.
 fáveo, favére, fávi,-faútum, w. dat., *favor*.
 fictio,-ónis, f. *fiction*.
 immemor,-is, adj., *unmindful*.
 indígeo,-ére,-ui, —, w. gen. or abl., *be in want of*.
 insérvio,-íre,-ívi(ii),-ítum, w. dat., *be subservient to*.
 ópus,-eris, n. *assistance*.
 páctum,-i, n. *agreement*.
 plánto,-áre,-ávi,-átum, *affix, annex*.
 stríctus,-a,-um, adj., *strict*.
 tútus,-a,-um., adj., *safe*.
 vótum,-i, n. *wish*.

LESSON XXX.

Ablative Absolute.

91. 1. Cessánte caúsa, ¹ céssat efféctus.
 2. Cessánte ratióne légis céssat ipsa lex.
 3. Dúo non póssunt in sólida únam rem possí-
 dere.
 4. Áctio non accrévit ínfra sex ánnos ².
 5. Rátio est légis ánima; mutáta légis ratióne
 mutátur et lex.
 6. Reprobáta pecúnia liberat solvéntem.
 7. Subláto fundaménto, cádit ópus.
 8. Crescénte malítia créscere débet et poéna.
 9. Légibus súmptis desinéntibus, léges natúra
 uténdum est.
 10. Pendénte líte níhil innovétur.
 11. Subláta caúsa, tóllitur efféctus.

92. **accresco,-ere,-évi,-étum, accrue.**
ánima,-æ, f. soul, life.
céssó,-áre,-ávi,-átum, cease.
créscó,-ere,-évi,-étum, increase.
désino,-ere,-ii (ívi),-itum, fail.
efféctus,-us, m. effect.
fundaméntum,-i, n. foundation.
ínfra, prep., within.
innóvo,-áre,-ávi,-átum, introduce.
libero,-áre,-ávi,-átum, absolve, discharge.
lis,-litis, f. suit.

¹See 132 XXIII.

²See 132 XXVI.

malitia,-æ, f. *malice*.

opus,-eris n. *structure*.

pecunia,-æ, f. *money*.

péndo, péndere, pepéndi, pénsu(m), *continue*.

réprobo,-áre,-ávi,-átu(m), *refuse*.

sex, indecl. num., *six*.

sólidu(m),-a,-u(m), adj., *entire*.

sólvo,-ere, i, solútu(m), *free, release*.

súffero,-férre, sústuli, sublátu(m), *remove*.

LESSON XXXI.

Subjunctive.

93. 1. Cáveat émptor¹; cáveat vénditor.
 2. Ut poéna ad paúcos, métus ad ómnes pervéniat².
 3. Respóndeat supérior.
 4. Sic útere túo ut aliénu(m) non laédas³.
 5. Qui péccat ébriu(m), lúat¹ sóbriu(m).
 6. Interpretátio fiénda est ut res mágis váleat³ quam péreat³.
 7. Núllus recédat¹ e cúria cancellária síne ré-médio.
 8. Fíeri fáciat; scíre fácias.
 9. Non fáciat málu(m) ut inde véniat² bónu(m).
 10. Áctu(m) non fáci(t) réu(m) nísi mens sit⁴ réa.
 11. Cassétur¹ bílla.
 12. Hábeas¹ córpu(m).

¹ See 132, XXXII.

² See 132, XXVII.

³ See 132, XXVII.

⁴ See 132, XXIII.

94. *bílla*, -æ, f. *writ*, *bill*.
cancellárius, -a, -um, *of chancery, of equity*.
cáссо, -áre, -ávi, -átum, *quash*.
cáveo, -ére, *cávi*, *caútum*, *beware*.
ébrius, -a, -um, adj., *intoxicated*.
émptor, -óris, m. *buyer*.
fíio, *fíeri*, *fáctus sum*, *be made*.
índe, adv., *thence*.
laédo, -ere, *laédi*, *laésum*, *injure*.
lúo, -ere, *lúi*, *lútum*, *expiate*.
málum, -i, n. *wrong*.
mens, -ntis, f. *intent*.
métus, -us, m. *fear*.
paúci, -órum, m. *few*.
pécco, -áre, -ávi, -átum, *do wrong*.
péreo, -íre, -íi (*ívi*), -ítum, *fail, fall*.
pervénio, -íre, -véni, -véntum, *come upon*.
réus, -a, -um, adj., *criminal*.
réus, -i, m. *a guilty person*.
recédo, -cédere, -céssi, -céssum, *depart from*.
scío, -íre, -ívi, -ítum, *know*.
sic, adv., *so, in such a manner*.
sóbríus, -a, -um, adj., *sober*.
supérieur, -óris, c. *principal*.
tíus, -a, -um, poss. pron., *your, yours*.
ut, conj., *in order that*.
váleo, -ére, -ui, —, *stand*.
vénditor, -óris, m. *purchaser*.

LESSON XXXII.

Subjunctive.—Continued. Accusative and Infinitive.

95. 1. Non definitur in jure quid sit¹ conatus.
 2. Conditio praecedens adimpleri debet priusquam sequatur².
 3. Qui non prohibet cum prohiberi possit³ in culpa est.
 4. Discretio est discernere per legem quid sit¹ justum.
 5. Doti lex favet; praemium pudoris est, ideo parcatur
 6. Lex non requirat verificari quod apparet curiae.
 7. Non decipitur qui scit se⁴ decipi
 8. Interest republicae suprema hominum testamenta rata haberi.
 9. Lex intendit vicinum vicini facta scire.
 10. Furor contrahi matrimonium non sinit, quia consensus opus est.
 11. Arma in armatos sumere jura sinunt.
 12. Interest reipublicae res judicatas non rescindi.

96. adimpleo, -ere, -evi, -etum, *fulfill*.
 appareo, -ere, -ui, -itum, *appear*.
 armatus, -i, m. *an armed person*.

¹See 132, XXX.

²See 132, XXVIII.

³See 132, XXIX.

⁴See 132, XXVI.

conátus,-us, m. *attempt.*

cóntraho,-ere,-tráxi,-tráctum, *contract, consummate.*

cúlpa,-æ, f. *fault*

decípío,-ere,-cépi,-céptum, *deceive.*

defínio,-íre,-ívi-(íi),-ítum, *define.*

discérno,-ere,-crévi,-crétum, *ascertain.*

diskrétio,-ónis, f. *discretion.*

dos, dótis, f. *dower.*

fúror,-óris, m. *passion.*

ideo, adv., *on that account.*

inténdo,-ere,-di,-téntum, *presume.*

intersum,-ésse,-fui, *interest to.*

jústus,-a,-um, adj., *just.*

ópus ésse, *to be necessary.*

párco,-ere, pepérci (pársi) párcitum (pársum)
preserve.

praémium,-i, n. *reward.*

priúsquam, conj., *before.*

púdor,-óris, m. *virtue.*

quíá, conj., *because.*

quis, quæ, quid, interrog. pron., *what.*

rátus,-a,-um, adj., *regarded, confirmed.*

rescíndo,-cre,-sciãí,-sciúsum, *disregard.*

síno,-ere, sívi, sítum, *permit.*

súmo,-ere, súmpsi, súmptum, *to take up.*

vicínus,-i, m. *neighbor.*

NOUNS.

97. The Latin has six cases:

NAMES.	ENGLISH EQUIVALENTS.
Nominative,	Nominative.
Genitive,	Possessive or Objective with of.
Dative,	Objective with to or for
Accusative,	Objective.
Vocative,	Nominative Independent.
Ablative,	Objective with from with, by, in.

1. Oblique Cases.—The Genitive, Dative, Accusative and Ablative are called the Oblique Cases.

2. Vocative.—The Vocative is like the Nominative, unless otherwise indicated.

NOUNS.

98. First Declension.—A—Stems.

SINGULAR.	PLURAL.
N. <i>persóna, a person.</i>	<i>persónæ, persons.</i>
G. <i>persónæ, of a person.</i>	<i>personárum, of persons.</i>
D. <i>persónæ, to or for a person.</i>	<i>persónis, to or for persons.</i>
Ac. <i>persónam, a person.</i>	<i>persónas, persons.</i>
Ab. <i>persóna, with a person.</i>	<i>persónis, with persons.</i>

SECOND DECLENSION.

99.

O—Stems.

	SINGULAR.	PLURAL.
N.	bónus	bóni
G.	bóni	bonórum
D.	bóno	bónis
Ac.	bónum	bónos
Ab.	bóno	bónis

	SINGULAR.	PLURAL.
N.	amícus	amíci
G.	amíci	amicórum
D.	amíco	amícis
Ac.	amícum	amícos
Ab.	amíco	amícis

a. The vocative singular of nouns in **-us** of the second declension has a special form in **-e**: amíce.

	SINGULAR.	PLURAL.
N.	dónum	dóna
G.	dóni	donórum
D.	dóno	dónis
Ac.	dónum	dóna
Ab.	dóno	dónis

	SINGULAR.	PLURAL.
N.	púer	púeri
G.	púeri	puerórum
D.	púero	púeris
Ac.	púerum	púeros
Ab.	púero	púeris

	SINGULAR.	PLURAL.
N.	magíster	magístri
G.	magístri	magistrórum

D.	magistro	magístris
Ac.	magístrum	magístros
Ab.	magistro	magístris

SINGULAR.

PLURAL.

N.	fílius	fílii
G.	fíli, fílii	fíliórum
D.	fílio	fíliis
Ac.	fílium	fílios
Ab.	fílio	fíliis

a. The vocative singular of *fílius* is *fíli*.

SINGULAR.

PLURAL.

N.	consílium	consília
G.	consíli, consílii	consiliórum
D.	consílio	consíliis
Ac.	consílium	consília
Ab.	consílio	consíliis

THIRD DECLENSION.

100.

Mute Stems.

SINGULAR.

PLURAL.

N.	pax	páces
G.	pácis	—
D.	páci	pácibus
Ac.	pácem	páces
Ab.	páce	pácibus

SINGULAR.

PLURAL.

N.	rex	réges
G.	régis	régum
D.	régi	régibus
Ac.	régem	réges
Ab.	rége	régibus

	SINGULAR.	PLURAL.
N.	cómes	cómites
G.	cómitis	cómitum
D.	cómiti	comítibus
Ac.	cómitem	cómites
Ab.	cómite	comítibus

	SINGULAR.	PLURAL.
N.	cáput	cápita
G.	cápitis	cápítum
D.	cápiti	capítibus
Ac.	cáput	cápita
Ab.	cápíte	capítibus

	SINGULAR.	PLURAL.
N.	aétas	ætátēs
G.	ætátis	ætátum
D.	ætáti	ætátibus
Ac.	ætátem	ætátēs
Ab.	ætáte	ætátibus

	SINGULAR.	PLURAL.
N.	fraus	fraúdes
G.	fraúdis	fraúdum
D.	fraúdi	fraúdibus
Ac.	fraúdem	fraúdes
Ab.	fraúde	fraúdibus

	SINGULAR.	PLURAL.
N.	haéres	hærédes
G.	hærédis	hærédum
D.	hærédi	hærédibus
Ac.	hærédem	hærédes
Ab.	hæréde	hærédibus

	SINGULAR.	PLURAL.
N.	sérvitus	servitútes
G.	servitútis	servitútum

D.	servitúti	servitútibus
Ac.	servitútem	servitútes
Ab.	servitúti	servitútibus

SINGULAR.

PLURAL.

N.	dos	dótes
G.	dótis	dótium
D.	dóti	dótibus
Ac.	dótem	dótes
Ab.	dóte	dótibus

101.

Liquid Stems.

SINGULAR.

PLURAL.

N.	visitátio	visitatiónes
G.	visitatiónis	visitatiónum
D.	visitatióni	visitatió nibus
Ac.	visitatió nem	visitatió nes
Ab.	visitatió ne	visitatió nibus

SINGULAR.

PLURAL.

N.	mos	móres
G.	móris	mórum
D.	móri	móribus
Ac.	mórem	móres
Ab.	móre	móribus

SINGULAR.

PLURAL.

N.	páter	pátres
G.	pátris	pátrum
D.	pátri	pátribus
Ac.	pátre m	pátres
Ab.	pátre	pátribus

SINGULAR.

PLURAL.

N.	consuetúdo	consuetú dines
G.	consuetú dinis	consuetú dinum

D.	consuetúdini	consuetudínibus
Ac.	consuetúdinem	consuetúdines
Ab.	consuetúdine	consuetudínibus

SINGULAR.

PLURAL.

N.	stipulátor	stipulatóres
G.	stipulatóris	stipulatórum
D.	stipulatóri	stipulatóribus
Ac.	stipulatórem	stipulatóres
Ab.	stipulatóre	stipulatóribus

SINGULAR.

PLURAL.

N.	hómo	hómines
G.	hóminis	hóminum
D.	hómini	homínibus
Ac.	hóminem	hómines
Ab.	hómine	homínibus

SINGULAR.

PLURAL.

N.	jus	júra
G.	júris	júrum
D.	júri	júribus
Ac.	jus	júra
Ab.	júre	júribus

SINGULAR.

PLURAL.

N.	os	óra
G.	óris	_____
D.	óri	óribus
Ac.	os	óra
Ab.	óre	óribus

SINGULAR.

PLURAL.

N.	córpus	córpóra
G.	córporis	córpórum
D.	córpori	corpóribus
Ac.	córpus	córpóra
Ab.	córpoře	corpóribus

	SINGULAR.	PLURAL.
N.	nómen	nómina
G.	nóminis	nóminum
D.	nómini	nomínibus
Ac.	nómen	nómina
Ab.	nómine	nomínibus

102.

Stems in i.

	SINGULAR.	PLURAL.
N.	téstit	téstit
G.	téstit	téstitum
D.	téstit	téstitibus
Ac.	téstitem	téstit
Ab.	téstit	téstitibus

	SINGULAR.	PLURAL.
N.	principále	principália
G.	principális	principálium
D.	principáli	principálibus
Ac.	principále	principália
Ab.	principáli	principálibus

	SINGULAR.	PLURAL.
N.	mens	méntes
G.	méntis	méntium
D.	ménti	méntibus
Ac.	méntem	méntes
Ab.	ménte	méntibus

	SINGULAR.	PLURAL.
N.	pars	pártes
G.	pártis	pártium
D.	párti	pártibus
Ac.	pártem, -im	pártes
Ab.	párte	pártibus

FOURTH DECLENSION.

103. U Stems.

	SINGULAR.	PLURAL.
N.	actus	actus
G.	actus	actuum
D.	actui	actibus
Ac.	actum	actus
Ab.	actu	actibus

104. FIFTH DECLENSION.

E—Stems.

	SINGULAR.	PLURAL.
N.	dies	dies
G.	diéi	diérum
D.	diéi	diébus
Ac.	diem	dies
Ab.	die	diébus

	SINGULAR.	PLURAL.
N.	res	res
G.	rei	rerum
D.	rei	rebus
Ac.	rem	res
Ab.	re	rebus

105. Special Paradigms.

N.	déus	déi, díi, di
G.	déi	deórum, déum
D.	déo	déis, díis, dis
Ac.	déum	déos
Ab.	déo	déis, díis, dis

	SINGULAR.	PLURAL.
N.	dómus	dómus
G.	dómus	dómuum, domórum
D.	dómui, dómo	dómibus
Ac.	dómun	dómos, dómus
Ab.	dómo, dómu	dómibus

	SINGULAR.	PLURAL.
N.	vis	víres
G.	vis	vírium
D.	vi	víribus
Ac.	vim	víres
Ab.	vi	víribus

106. Compound Nouns.

	SINGULAR.	PLURAL.
N.	respública	respúblicae
G.	reipúblicae	rerumpublicárum
D.	reipúblicae	rebuspúblicis
Ac.	rempublicam	respúblicas
Ab.	república	rebuspúblicis

ADJECTIVES.

107. First and Second Declensions.

	SINGULAR.		
	Masculine.	Feminine.	Neuter.
N.	bónus	bóna	bónum
G.	bóni	bónæ	bóni
D.	bóno	bónæ	bóno
Ac.	bónum	bónam	bónum
Ab.	bóno	bóna	bóno

PLURAL.

N.	bóni	bónæ	bóna
G.	bonórum	bonárum	bonórum
D.	bónis	bónis	bónis
Ac.	bónos	bónas	bóna
Ab.	bónis	bónis	bónis

SINGULAR.

	Masc.	Fem.	Neut.
N.	míser	mísera	míserum
G.	míseri	míseræ	míseri
D.	mísero	míseræ	mísero
Ac.	míserum	míseram	míserum
Ab.	mísero	mísera	mísero

PLURAL.

N.	míseri	míseræ	mísera
G.	miserórum	miserárum	miserórum
D.	míseris	míseris	míseris
Ac.	míseros	míseras	mísera
Ab.	míseris	míseris	míseris

SINGULAR.

N.	ínteger	intégra	intégram
G.	intégri	intégræ	intégri
D.	intégro	intégræ	intégro
Ac.	intégram	intégram	intégram
Ab.	intégro	intégra	intégro

PLURAL.

	Masc.	Fem.	Neut.
N.	intégri	intégræ	intégra
G.	integrórum	integrárum	integrórum
D.	intégris	intégris	intégris
Ae.	intégras	intégras	intégra
Ab.	intégris	intégris	intégris

108.

THIRD DECLENSION.

SINGULAR.

	Masc. and Fem.	Neut.
N.	símplex	símplex
G.	símplicis	símplicis
D.	símplici	símplici
Ac.	símplicem	símplex
Ab.	símplici, -e	símplici, -e

PLURAL.

	Masc. and Fem.	Neut.
N.	símplices	simplicia
G.	simplicium	simplicium
D.	simplicibus	simplicibus
Ac.	símplices, -is	simplicia
Ab.	simplicibus	simplicibus

SINGULAR.

	Masc. and Fem.	Neut.
N.	præcédens	præcédens
G.	præcedéntis	præcedéntis
D.	præcedénti	præcedénti
Ac.	præcedéntem	præcédens
Ab.	præcedénte, -i	præcedénte, -i

PLURAL.

	Masc. and Fem.	Neut.
N.	præcedéntes	præcedéntia
G.	præcedéntium	præcedéntium
D.	præcedéntibus	præcedéntibus
Ac.	præcedéntes, -is	præcedéntia
Ab.	præcedéntibus	præcedéntibus

SINGULAR.

	Masc. and Fem.	Neut.
N.	brévis	bréve
G.	brévis	brévis

D.	brévi	brévi
Ac.	brévem	brève
Ab.	brévi	brévi

PLURAL.

	Masc. and Fem.	Neut.
N.	brèves	brévia
G.	brévium	brévium
D.	brévibus	brévibus
Ac.	brèves, -is	brévia
Ab.	brévibus	brévibus

109. Irregular Adjectives.

SINGULAR

N.	Masc.	Fem.	Neut.
N.	álius	ália	áliud
G.	alíns	alíus	alíus
D.	álii	álii	álii
Ac.	álinm	áliam	áliud
Ab.	álio	ália	álio

PLURAL.

	Masc.	Fem.	Neut.
N.	álii	áliæ	ália
G.	aliórum	aliárum	aliórum
D.	áliis	áliis	áliis
Ac.	álios	alias	ália
Ab.	áliis	áliis	áliis

SINGULAR.

	Masc.	Fem.	Neut.
N.	únus	úna	únus
G.	uníus	uníus	uníus
D.	úni	úni	úni
Ac.	únus	únus	únus
Ab.	úno	úna	úno

110. Comparison of Adjectives.

In Latin, as in English, there are three degrees of comparison, the positive, the comparative, and the superlative.

Positive.	Comparative.	Superlative.
firmus	firmior	firmíssimus
fórtis	fórtior	fortíssimus
símplex	simplícior	simplicíssimus

a. Observe that the comparative is formed from the stem of the positive by dropping the stem vowel, if there be one, and adding—**ior**; the superlative, by adding—**issimus**

b. The comparative of all adjectives except **plus**, *more*, is declined like **firmior** (113); the superlative like **bonus**.

111. Irregular Comparison.

Positive.	Comparative.	Superlative.
éxterus	extérieur	extrémus, éxtimus
ínerus	inférieur	ínfimus, ímus
pósterus	postérieur	postrémus, pós-tumus
súperus	supérieur	suprémus, súm-mus
[præ, pro, <i>before.</i>]	prior	prímus
[própe, <i>near.</i>]	próprior	próximus
[últra, <i>beyond.</i>]	ultérieur	últimus
bónus	mélior, mélius	óptimus
mágnus	máior, május	máximus
múltus	——, plus	plúrimus
párvus	mínor, mínus	mínimus

112. Formation and Comparison of Adverbs.

Formation—Models.

Adjective.	Stem.	Adverb.
<i>fīrmus, firm.</i>	<i>fīrmo</i> —	<i>firme, firmly.</i>
<i>miser, wretched.</i>	<i>mísero</i> —	<i>mísere, wretchedly.</i>

a. Observe that adverbs from adjectives with o-stems are formed by changing the o into e.

<i>fórtis, brave.</i>	<i>fórti</i> —	<i>fórtiter, bravely.</i>
<i>fréquens, frequent.</i>	<i>frequénti</i> —	<i>frequénter, frequently.</i>

b. Observe that adverbs are formed from adjectives with i-stems by adding *ter* to the stem.

c. Observe that stems—*nti*—drop *ti* before *ter*.

ADJECTIVE.	ADVERB.
<i>múltus, much.</i>	<i>múltum, much.</i>
<i>fácilis, easy.</i>	<i>fácilé, easily.</i>
<i>brévis, brief.</i>	<i>bréve, briefly.</i>

d. The accusative singular neuter of the adjective is sometimes used as an adverb.

<i>cítus, quick.</i>	<i>cító, quickly.</i>
<i>prímus, first.</i>	<i>prímo, at first.</i>

e. The ablative singular neuter of the adjective is sometimes used as an adverb.

Comparison.

Positive.	Comparative.	Superlative.
<i>fírme</i>	<i>fírmus</i>	<i>fírmissime</i>
<i>mísere</i>	<i>misérius</i>	<i>misérrime</i>
<i>felíciter</i>	<i>felícíus</i>	<i>felicíssime</i>

béne	mélius	óptime
mále	péjus	péssime
múltum	plus	plúrimum
————	mágis	máxime

a. Observe that the comparative of the adverb is the same as the neuter accusative singular of the comparative of the adjective; and that the superlative is formed from the superlative of the adjective by changing, as in the positive, the final o of the stem to e.

b. If the adjective is irregular in comparison, the adverb is also irregular.

113. Declension of Comparatives.

SINGULAR.

	Masc. and Fem.	Neut.
N.	fírmior	fírmius
G.	fírmioris	fírmioris
D.	fírmíori	fírmíori
Ac.	fírmíorem	fírmius
Ab.	fírmíore, -i	fírmíore, -i

PLURAL.

	Masc. and Fem.	Neut.
N.	fírmíores	fírmíora
G.	fírmíorum	fírmíorum
D.	fírmíoribus	fírmíoribus
Ac.	fírmíores, -is	fírmíora
Ab.	fírmíoribus	fírmíoribus

SINGULAR.

	Masc. and Fem.	Neut.
N.	————	plus
G.	————	plúris
D.	————	————
Ac.	————	plus
Ab.	————	plúre

PLURAL.

	Masc. and Fem.	Neut.
N.	plúres	plúra
G.	plúrium	plúrium
D.	plúribus	plúribus
Ac.	plúres, -is	plúra
Ab.	plúribus	plúribus

14.

Numerals.

CARDINALS.

ORDINALS.

1.	únus, -a, -m	prímus, -a, -um
2.	dúo, dúæ, duo	secúndus (or alter)
3.	tres, tría	tértius
4.	quáttuor	quártus
5.	quínque	quíntus
6.	sex	séxtus
7.	séptem	séptimus
8.	ócto	octávus
9.	nóvem	nónus
10.	décem	déimus

PRONOUNS.

15.

Personal.

	SINGULAR.	PLURAL.
N.	———	———
G.	súi	súi
D.	síbi	síbi
Ac.	se, sése	se, sése
Ab.	se, sése	se, sése

116.

Demonstrative.

SINGULAR.				PLURAL.		
N.	hic	hæc	hoc	hi	hæ	hæc
G.	húius	húius	húius	hórum	hárum	hórum
D.	huic	huic	huic	his	his	his
Ac.	hunc	hanc	hoc	hos	has	hæc
Ab.	hoc	hac	hoc	his	his	his
N.	ille	illa	illud	illi	illæ	illa
G.	illíus	illíus	illíus	illórum	illárum	illórum
D.	illi	illi	illi	illis	illis	illis
Ac.	illum	illam	illud	illos	illas	illa
Ab.	illo	illa	illo	illis	illis	illis
N.	is	éa	id	éi, íi	éæ	éa
G.	éius	éius	éius	eórum	eárum	eórum
D.	éi	éi	éi	éis, íis	éis, íis	éis, íis
Ac.	éum	éam	id	éos	éas	éa
Ab.	éo	éa	éo	éis, íis	éis, íis	éis, íis

SINGULAR.

N.	ídem	éadem	ídem
G.	eiúsdem	eiúsdem	eiúsdem
D.	eídem	eídem	eídem
Ac.	eúndem	eándem	ídem
Ab.	eódem	eádem	eódem

PLURAL.

N.	{ eídem íídem	eaédem	éadem
G.	eorúndem	earúndem	eorúndem
D.	{ eísdem íísdem	{ eísdem íísdem	{ eísdem íísdem
Ac.	eósdem	eásdem	éadem
Ab.	{ eísdem íísdem	{ eísdem íísdem	{ eísdem íísdem

	SINGULAR.			PLURAL.		
N.	ipse	ipsa	ipsum	ipsi	ipsæ	ipsa
G.	ipsius	ipsius	ipsius	ipsorum	ipsarum	ipsorum
D.	ipsi	ipsi	ipsi	ipsis	ipsis	ipsis
Ac.	ipsum	ipsam	ipsum	ipsos	ipsas	ipsos
Ab.	ipso	ipsa	ipso	ipsis	ipsis	ipsis

117. Relative.

	SINGULAR.			PLURAL.		
N.	qui	quæ	quod	qui	quæ	quæ
G.	cuius	cuius	cuius	quorum	quarum	quorum
D.	cui	cui	cui	quibus	quibus	quibus
Ac.	quem	quam	quod	quos	quas	quæ
Ab.	quo	qua	quo	quibus	quibus	quibus

118. Interrogative.

N.	quis	quæ	quid	qui	quæ	quæ
G.	cuius	cuius	cuius	quorum	quarum	quorum
D.	cui	cui	cui	quibus	quibus	quibus
Ac.	quem	quam	quid	quos	quas	quæ
Ab.	quo	qua	quo	quibus	quibus	quibus

119. Indefinite.

	SINGULAR.		
N.	aliquis	aliqua	aliquid, aliquod
G.	alicuius	alicuius	alicuius
D.	alicui	alicui	alicui
Ac.	aliquem	aliquam	aliquid, aliquod
Ab.	aliquo	aliqua	aliquo

	PLURAL.		
N.	aliqui	aliquæ	aliqua
G.	aliquorum	aliquarum	aliquorum
D.	aliquibus	aliquibus	aliquibus
Ac.	aliquos	aliquas	aliqua
Ab.	aliquibus	aliquibus	aliquibus

SINGULAR.

N. quídam	quaédam	quíddam, quóddam
G. cuiúsdam	cuiúsdam	cuiúsdam
D. cuídam	cuídam	cuídam
Ac. quéndam	quándam	quíddam, quóddam
Ab. quódam	quádam	quódam

PLURAL.

N. quídam	quaédam	quaédam
G. quorúndam	quarúndam	quorúndam
D. quibúsdam	quibúsdam	quibúsdam
Ac. quósdam	quásdam	quaédam
Ab. quibúsdam	quibúsdam	quibúsdam

NOTE.—*Quisquis*, “*whoever*” or “*whatever*,” is called from its signification a general relative. It is rare except in the forms *quisquis*, *quidquid* (*quicquid*.)

REGULAR VERBS.

120. First Conjugation.—A—Verbs.

Mándo, *I command.*

PRINCIPAL PARTS.

mándo, mandáre, mandávi, mandátus.

Active Voice.

INDICATIVE MOOD—PRESENT TENSE.

I command.

Singular.	Plural.
mándo	mandámus
mándas	mandátis
mándat	mándant

IMPERFECT.

I was commanding, or I commanded.

mandábam	mandabámus
mandábas	mandabátis
mandábat	mandábant

FUTURE.

I shall or will command.

mandábo	mandábjimus
mandábis	mandábitis
mandábit	mandábunt

PERFECT.

I have commanded, I commanded.

mandávi	mandávinus
mandavísti	mandavístis
mandávit	mandávérunt, or -re

PLUPERFECT.

I had commanded.

mandáveram	mandaverámus
mandáveras	mandaverátis
mandáverat	mandáverant

FUTURE PERFECT.

I shall have commanded, etc.

mandávero	mandavérimus
mandáveris	mandavéritis
mandáverit	mandáverint

SUBJUNCTIVE—PRESENT.

May I command, let him command.

mándem	mandémus
mándes	mandétis
mándet	mándent

IMPERFECT.

I should command, he would command.

mandárem	mandarémus
mandáres	mandarétiſ
mandáret	mandárent

PERFECT.

I may have commanded, or I have commanded.

mandáverim	mandavérimuſ
mandáveriſ	mandavéritiſ
mandáverit	mandáverint

PLUPERFECT.

I should have commanded, he would have commanded.

mandaviſſem	mandaviſſémuſ
mandaviſſeſ	mandaviſſétiſ
mandaviſſet	mandaviſſent

IMPERATIVE—PRESENT.

mánda, *command thou.*
mandáte, *command ye.*

FUTURE.

mandáto, *thou ſhalt command.*
mandáto, *he ſhall command.*
mandatóte, *ye ſhall command.*
mandánto, *they ſhall command.*

INFINITIVE.

Pres. mandáre, *to command.*
Perf. mandaviſſe, *to have commanded.*
Fut. mandatúruſ éſſe, *to be about to command.*

PARTICIPLES.

Pres. mándanſ, -ántiſ, *commanding.*
Fut. mandatúruſ, -a, -um, *about to command.*

GERUND.

N. ———

G. mandándi, *of commanding.*D. mandádo, *for commanding.*Ac. mandándum, *commanding.*Ab. mandádo, *by commanding.*

SUPINE.

Acc. mandátum, *to command.*Abl. mandátu, *to command, be commanded.*

Passive Voice.

INDICATIVE—PRESENT.

I am commanded, etc.

mandor	mandámur
mandáris, or re	mandámini
mandátur	mandántur

IMPERFECT.

I was commanded, etc.

mandábar	mandabámur
mandabáris, or re	mandabámini
mandabátur	mandabántur

FUTURE.

I shall be commanded, etc.

mandábor	mandábimur
mandáberis, or -re	mandabímini
mandábitur	mandabúntur

PERFECT.

I have been (was) commanded, etc.

mandátus	{	sum	mandáti	{	súmus
	{	es		{	éstis
	{	est		{	sunt

PLUPERFECT.

I had been commanded, etc.

mandátus	{	éram	mandáti	{	erámus
		éras			erátis
		érat			érant

FUTURE PERFECT.

I shall have been commanded, etc.

mandátus	{	éro	mandáti	{	érimus
		éris			éritis
		érit			érunt

SUBJUNCTIVE—PRESENT.

May I be commanded, let him be commanded.

mánder	mandémur
mandéris, or -re	mandémini
mandétur	mandéntur

IMPERFECT.

I should command, he would command.

mandárer	mandarémur
mandaréris, or -re	mandarémini
mandarétur	mandaréntur

PERFECT.

I may have been commanded, etc.

mandátus	{	sim	mandáti	{	símus
		sis			sítis
		sit			sint

PLUPERFECT.

I should have been commanded, etc.

mandátus	{	éssem	mandáti	{	essémus
		esses			essétis
		ésset			éssent

IMPERATIVE—PRESENT.

mandáre, *be thou commanded.*

mandámini, *be ye commanded.*

FUTURE.

mandátor, *thou shalt be commanded.*

mandátor, *he shall be commanded.*

mandántor, *they shall be commanded.*

INFINITIVE.

Pres. mandári, *to be commanded.*

Perf. mandátus ésse. *to have been commanded.*

Fut. mandátum íri, *to be about to be commanded.*

PARTICIPLES.

Ger. mandándus, -a, -um, *to be commanded.*

Perf. mandátus, -a, -um, *commanded, having been commanded.*

Second Conjugation.—E—Verbs.

Hábeo, *I hold.*

PRINCIPAL PARTS.

hábeo, habére, hábui, hábitus.

INDICATIVE MOOD—PRESENT TENSE.

I hold.

hábeo	habémus
hábes	habétis
hábet	hábent

IMPERFECT.

I was holding, or I held.

habébam	habebámus
habébas	habebátis
habébat	habébant

FUTURE.

I shall or will hold.

habébo	habébimus
habébis	habébitis
habébit	habébunt

PERFECT.

I have held, or I held.

hábui	habúimus
habuísti	habuístis
hábuit	habuérunt, or -re

PLUPERFECT.

I had held.

habúeram	habuerámus
habúeras	habuerátis
habúerat	habúerant

FUTURE PERFECT.

I shall or will have held.

habúero	habuérimus
habúeris	habuéritis
habúerit	habúerint

SUBJUNCTIVE—PRESENT.

May I hold, let him hold.

hábeam	habeámus
hábeas	habeátis
hábeat	habeant

IMPERFECT.

I should hold, he could hold.

habérem	haberémus
habéres	haberétis
habéret	habérent

PERFECT.

I may have held, or I held.

habúerim	habuérimus
habúeris	habuéritis
habúerit	habúerint

PLUPERFECT.

I should have held, he would have held.

habuíssem	habuissémus
habuísseis	habuissétis
habuísset	habuísset

IMPERATIVE—PRESENT.

hábe, *have thou.*
 habéte, *have ye.*

FUTURE.

habéto, *thou shalt hold.*
 habéto, *he shall hold.*
 habetóte, *ye shall hold.*
 habénto, *they shall hold.*

INFINITIVE.

Pres. habére, *to hold.*
 Perf. habuísse, *to have held.*
 Fut. habitúrus ésse, *to be about to hold.*

PARTICIPLES.

Pres. hábens, -éntis, *holding.*
 Fut. habitúrus, -a, -um, *about to hold.*

GERUND.

Gen. habé^{ndi}, *of holding.*
 Dat. habé^{ndo}, *for holding.*
 Acc. habé^{ndum}, *holding.*
 Abl. habé^{ndo}, *by holding.*

SUPINE.

Acc. hábitum, *to hold.*
 Ab. hábitu, *to hold, to be held.*

Passive Voice.

INDICATIVE MOOD—PRESENT TENSE

I am held.

hábeor	habémur
habéris, or -re	habémini
habétur	habéntur

IMPERFECT.

I was held.

habébar	habebámur
habebáris, or -re	habebámini
habebátur	habebántur

FUTURE.

I shall or will be held.

habébor	habébimur
habéberis, or -re	habebímini
habébitur	habebúntur

PERFECT.

I have been held, or I was held.

hábitus	{	sum	{	súmus
	{	es	{	é ^{stis}
	{	est	{	sunt

PLUPERFECT.

I had been held.

hábitus	{	éram	hábiti	{	erámus
		éras			erátis
		érat			érant

FUTURE PERFECT.

I shall or will have been held.

hábitus	{	éro	hábiti	{	érimus
		éris			éritis
		érit			érunt

SUBJUNCTIVE—PRESENT.

May I be held, let him be held.

hábear	habeámur
habeáris, or -re	habeámini
habeátur	habeántur

IMPERFECT.

I should be held, he would be held.

habérer	haberémur
haberéris, or -re	haberémini
haberétur	haberéntur

PERFECT.

I may have been held.

hábitus	{	sim	hábiti	{	símus
		sis			sítis
		sit			sint

PLUPERFECT.

I should have been held.

hábitus	{	éssem	hábiti	{	essémus
		esses			essétis
		ésset			ésSENT

IMPERATIVE—PRESENT.

habére, *be thou held.*habémini, *be ye held.*

FUTURE.

habétor, *thou shalt be held.*habétor, *he shall be held.*

habéntor, *they shall be held.*

INFINITIVE.

Pres. habéri, *to be held.*Perf. hábitus ésse, *to have been held.*Fut. hábitum íri, *to be about to be held.*

PARTICIPLES.

Ger. habéndus, -a, -um, *to be held.*Perf. hábitus, -a, -um, *held, having been held.***122.** Third Conjugation.—E—Verbs.Régo, *I rule.*

PRINCIPAL PARTS.

régo, régere, réxi, réctus.

Active Voice.

INDICATIVE MOOD—PRESENT TENSE.

I rule.

Singular.	Plural.
régo	régimus
régis	régitis
régit	régunt

IMPERFECT.

I was ruling, or I ruled.

regébam	regebámus
regébas	regebátis
regébat	regebant

FUTURE.

I shall or will rule.

régam	regémus
réges	regétis
réget	régent

PERFECT.

I have ruled, etc.

réxi	réximus
rexísti	rexístis
réxit	rexérunt, or -re

PLUPERFECT.

I had ruled, etc.

réxeram	rexerámus
réxeras	rexerátis
réxerat	rexerant

FUTURE PERFECT.

I shall have ruled, etc.

réxero	rexérimus
rexeris	rexéritis
rexerit	rexerint

SUBJUNCTIVE—PRESENT.

May I rule, let him rule.

régam	regámus
régas	regátis
regat	regant

IMPERFECT.

I should rule, he would rule.

régerem	regerémus
régeres	regerétis
régeret	régerent

PERFECT.

I may have ruled, or I have ruled.

rexerim	rexérimus
rexeris	rexéritis
rexerit	rexerint

PLUPERFECT.

I should have ruled, he would have ruled.

rexissem	rexissémus
rexisses	rexissétis
rexisset	rexissent

IMPERATIVE—PRESENT.

rége, *rule thou.*régite, *rule ye.*

FUTURE.

régito, *thou shalt rule.*régito, *he shall rule.*regitôte, *ye shall rule.*regúnto, *they shall rule.*

INFINITIVE.

Pres. régere, *to rule.*Pref. rexísse, *to have ruled.*Fut. rectúrus ésse, *to be about to rule.*

PARTICIPLES.

Pres. régens, -éntis, *ruling.*Fut. rectúrus, -a, -um, *about to rule.*

GERUND.

N. ———

G. regé^{ndi}, *of ruling.*D. regé^{ndo}, *for ruling.*Ac. regé^{ndum}, *ruling.*Ab. regé^{ndo}, *by ruling.*

SUPINE.

Ac. ré^{ctum}, *to rule.*Ab. ré^{ctu}, *to rule, to be ruled.*

Passive.

INDICATIVE—PRESENT.

I am ruled, etc.

régor

régimur

rég^{eris}, or -rerég^{imini}

régitur

rég^{untur}

IMPERFECT.

*I was ruled, etc.*regé^{bar}

regebámur

regebá^{ris}, or -reregebá^{mini}

regebátur

regebántur

FUTURE.

I shall be ruled, etc.

régar

regémur

regé^{ris} or -reregé^{mini}rég^{etur}regé^{ntur}

PERFECT.

I have been ruled, etc.

réctus	{	sum
		es
		est

récti	{	súmus
		éstis
		sunt

PLUPERFECT.

I had been ruled, etc.

réctus	{	éram	récti	{	erámus
		éras			erátis
		érat			érant

FUTURE PERFECT.

I shall have been ruled, etc.

réctus	{	éro	récti	{	érimus
		éris			éritis
		érit			érunt

SUBJUNCTIVE—PRESENT.

May I be ruled, let him be ruled.

régar	regámur
regáris or-re	regámini
regátur	regántur

IMPERFECT.

I should be ruled, he would be ruled.

régerer	regerémur
regeréris or-re	regerémini
regerétur	regeréntur

PERFECT.

I may have been ruled, or I have been ruled.

réctus	{	sim	récti	{	símus
		sis			sítis
		sit			sint

PLUPERFECT.

I should have been ruled, etc.

r�ctus	{	�ssem	r�cti	{	ess�mus
		�sses			ess�tis
		�sset			�ssent

IMPERATIVE—PRESENT.

*r gere, be thou ruled.**reg mini, be ye ruled.*

FUTURE.

*r gitor, thou shalt be ruled.**r gitor, he shall be ruled.*

re g ntor, they shall be ruled.

INFINITIVE.

*Pres. r gi, to be ruled.**Perf. r ctus  sse, to have been ruled.**Fut. r ctum  ri, to be about to be ruled.*

PARTICIPLES.

*Ger. reg ndus, -a, -um, to be ruled.**Perf. r ctus, -a, -um, ruled, having been ruled.***123.** Third Conjugation.

Verbs of the third conjugation in **io** have some forms of the present stem like the fourth conjugation. Before **a, o, u** and **i** they retain the **i** of the stem, but lose it elsewhere, except in the gerund and participle.

C pio, I take.

PRINCIPAL PARTS.

c pio, c pere, c pi, c ptus.

Active Voice.

INDICATIVE MOOD—PRESENT TENSE.

I take.

Singular.	Plural.
cápio	cápinus
cápis	cápitis
cápit	cápiunt

IMPERFECT.

I was taking, I took.

capiébam	capiebámus
capiébas	capiebátis
capiébat	capiebant

FUTURE.

I shall or will take.

cápiam	capiémus
cápies	capiétiſ
cápiet	capient

PERFECT.

I have taken or I took.

cépi	cépimus
cepísti	cepístis
cepít	ceperunt

PLUPERFECT.

I had taken.

céperam	ceperámus
céperas	ceperátis
céperat	ceperant

FUTURE PERFECT.

I shall or will have taken.

cépero	ceperímus
céperis	ceperítis
céperit	ceperint

SUBJUNCTIVE—PRESENT.

May I take, let him take.

cápiam	capiámus
cápias	capiátis
cápiat	capiant

IMPERFECT.

I should take, he would take.

cáperem	caperémus
cáperes	caperétis
cáperet	caperent.

PERFECT.

I may have taken, or I have taken.

céperim	cepérimus
céperis	cepéritis
céperit	ceperint

PLUPERFECT.

I should have taken, he would have taken.

cepíssem	cepissémus
cepísses	cepissétis
cepísset	cepissent

IMPERATIVE—PRESENT.

cápe, *take thou.*
 cápite, *take ye.*

FUTURE.

cápito, *thou shalt take.*
 cápito, *he shall take.*
 capitóte, *ye shall take.*
 capiúnto, *they shall take.*

INFINITIVE.

Pres. cápere, *to take.*
 Perf. cepísse, *to have taken.*
 Fut. captúrus esse, *to be about to take.*

PARTICIPLES.

Pres. cápiens, -iéntis, *taking*.Fut. captúrus, -a, -um, *about to take*.

GERUND.

N. ———

G. capiéndi, *of taking*.D. capiéndo, *for taking*.Ac. capiéndum, *taking*.Ab. capiéndo, *by taking*.

SUPINE.

Ac. cáptum, *to take*.Ab. cáptu, *to take, to be taken*.

Passive.

INDICATIVE—PRESENT.

I am taken, etc.

Singular.	Plural.
cápior	cápmur
cáperis	capímini
cápitur	capiúntur

IMPERFECT.

I was taken, etc.

capiébar	capiebámur
capiebáris	capiebámini
capiebátur	capiebántur

FUTURE.

I shall be taken, etc.

cápiar	capiémur
capiéris	capiémini
capiétur	capiéntur

PERFECT.

I have been taken, etc.

cáptus	{	sum	cápti	{	súmus
		es			éstis
		est			sunt

PLUPERFECT.

I had been taken, etc.

cáptus	{	éram	cápti	{	erámus
		éras			erátis
		érat			érant

FUTURE PERFECT.

I shall have been taken.

cáptus	{	éro	cápti	{	érimus
		éris			éritis
		érit			érunt

SUBJUNCTIVE—PRESENT.

May I be taken, let him be taken.

cápiar	capiámur
capiáris	capiámini
capiátur	capiántur

IMPERFECT.

I should be taken, he would be taken.

cáperer	caperémur
caperéris	caperémini
caperétur	caperéntur

PERFECT

May have been taken, I have been taken.

cáptus	{	sim	cápti	{	símus
		sis			sítis
		sit			sint

PLUPERFECT.

I should have been taken, etc.

cáptus	{	éssem	cápti	{	essémus
		esses			essétis
		ésset			éssett

IMPERATIVE.—PRESENT.

cápere, *be thou taken.*capímini, *be ye taken.*

FUTURE.

cápitor, *thou shalt be taken.*cápitor, *he shall be taken.*capiúntor, *they shall be taken.*

INFINITIVE.

Pres. cápi, *to be taken.*Perf. cáptus ésse, *to have been taken.*Fut. cáptum íri, *to be about to be taken.*

124. Fourth Conjugation—I—Verbs.

Aúdio, *I hear.*

PRINCIPAL PARTS.

aúdio, audíre, andívi, audítus.

Active Voice.

INDICATIVE MOOD—PRESENT TENSE.

I hear.

Singular.	Plural.
aúdio	audímus
aúdis	audítis
aúdit	aúdiunt

IMPERFECT.

I was hearing, or I heard.

audiébam	audiebámus
audiébas	audiebátis
audiébat	audiébant

FUTURE.

I shall or will hear.

aúdiam	audiémus
aúdiēs	audiétis
aúdiet	aúdient

PERFECT.

I have heard, or I heard.

audívi	audívimus
audivísti	audivístis
audívit	audivérunt, or -ére

PLUPERFECT.

I had heard.

audíveram	audiverámus
audíveras	audiverátis
audíverat	audíverant

FUTURE PERFECT.

I shall or will have heard.

audívero	audivérimus
audíveris	audivéritis
audíverit	audíverint

SUBJUNCTIVE—PRESENT.

May I hear, let him hear.

aúdiam	audiámus
aúdias	audiátis
aúdiat	aúdiant

IMPERFECT.

I should hear, he would hear.

audírem	audirémus
audíres	audirétis
audíret	audírent

PERFECT.

I may have heard or I have heard.

audíverim	audivérimus
audíveris	audivéritis
audíverit	audíverint

PLUPERFECT.

I should have heard, he would have heard.

audivíssem	audivissémus
audivísSES	audivissétis
audivísset	audivísSENT

IMPERATIVE—PRESENT.

aúdi, *hear thou.*
 audíte, *hear ye.*

FUTURE.

audíto, *thou shalt hear.*
 audíto, *he shall hear.*
 auditóte, *ye shall hear.*
 audiúnto, *they shall hear.*

INFINITIVE.

Pres. audíre, *to hear.*
 Perf. audivísse, *to have heard.*
 Fut. auditúrus ésse, *to be about to hear.*

PARTICIPLES.

Pres. aúdiens, -éntis, *hearing.*
 Fut. auditúrus, -a, -um, *about to hear.*

GERUND.

Gen. audiéndi, *of hearing.*Dat. audiéndo, *for hearing.*Acc. audiéndum, *hearing.*Abl. audiéndo, *by hearing.*

SUPINE.

Acc. audítum, *to hear.*Abl. audítu, *to hear, to be heard.*

Passive Voice.

INDICATIVE MOOD—PRESENT TENSE.

I am heard.

Singular.

aúdiór

audíris, or re

audítur

Plural.

audímur

audímini

audiúntur

IMPERFECT.

I was heard.

audiébar

audiebáris, or re

audiebátur

audiebámur

audiebámini

audiebántur

FUTURE.

I shall or will be heard.

aúdiar

audiéris, or re

audiétur

audiémur

audiémini

audiéntur

PERFECT.

I have been heard, or I was heard.

audítus { sum
 { es
 { est

audíti { súnus
 { éstis
 { sunt

PLUPERFECT.

I had been heard.

auditus	{	éram	audíti	{	erámus
		éras			erátis
		érat			érant

FUTURE PERFECT.

I shall or will have been heard.

auditus	{	éro	audíti	{	érimus
		éris			éritis
		érit			érunt

SUBJUNCTIVE—PRESENT.

May I be heard, let him be heard.

aúdiar	audiámur
audiáris, or re	audiámini
audiátur	audiántur

IMPERFECT.

I should be heard, he would be heard.

audírer	audirémur
audiréris, or re	audirémini
audirétur	audiréntur

PERFECT.

I may have been heard.

auditus	{	sim	audíti	{	simus
		sis			sítis
		sit			sint

PLUPERFECT.

I should have been heard.

auditus	{	éssem	auditi	{	essémus
		esses			essétis
		ésset			ésSENT

IMPERATIVE—PRESENT.

audíre, *be thou heard.*

audímini, *be ye heard.*

FUTURE.

audítor, *thou shalt be heard.*

audítor, *he shall be heard.*

audiúntor, *they shall be heard.*

INFINITIVE.

Pres. audíri, *to be heard.*

Perf. audítus ésse, *to have been heard.*

Fut. audítum íri, *to be about to be heard.*

PARTICIPLES.

Pres. —————

Ger. audiéndus, -a, -um, *to be heard.*

Perf. audítus, -a, -um, *having been heard.*

125.

Deponent Verbs.

Séquor, *I follow.*

PRINCIPAL PARTS.

séquor séqui secútus

INDICATIVE MOOD—PRESENT.

I follow.

séquor	séquimur
séqueris, or re	séquimini
séquitur	sequúntur

IMPERFECT.

I was following, or I followed.

sequébar	sequebámur
sequebáris, or re	sequebámini
sequebátur	sequebántur

FUTURE.

I shall or will follow.

séquar	sequémur
sequéris, or re	sequémini
sequétur	séquéntur

PERFECT.

I have followed, or I followed.

secútus	{ sum	secúti	{ súmús
	{ es		{ éstis
	{ est		{ sunt

PLUPERFECT.

I had followed.

secútus	{ éram	secúti	{ erámús
	{ éras		{ erátis
	{ érat		{ érant

FUTURE PERFECT.

I shall or will have followed.

secútus	{ éro	secúti	{ érimús
	{ éris		{ éritis
	{ érit		{ érunť

SUBJUNCTIVE—PRESENT.

May I follow, let him follow.

séquar	sequámur
sequáris, or re	sequámini
sequátur	sequántur

IMPERFECT.

I should follow, he would follow.

séquerer	sequerémur
sequeréris, or re	sequerémini
sequerétur	sequeréntur

PERFECT.

I may have followed, or I have followed.

secútus	{	sim	secúti	{	essémus
	{	sis		{	essétis
	{	sit		{	éssent

PLUPERFECT.

I should have followed.

secútus	{	éssem	secúti	{	essémus
	{	ésses		{	essétis
	{	ésset		{	éssent

IMPERATIVE—PRESENT.

séquere, *follow thou.*

sequímini, *follow ye.*

FUTURE.

séquitor, *thou shalt follow.*

séquitor, *he shall follow.*

sequúntor, *they shall follow.*

INFINITIVE.

Pres. séqui, *to follow.*

Perf. secútus esse, *to have followed.*

Fut. secutúrus esse, *to be about to follow.*

PARTICIPLES.

Pres. séquens, éntis, *following.*

Fut. secutúrus, -a, -um, *about to follow.*

Perf. secútus, -a, -um, *having followed.*

Ger. sequéndus, -a, -um, *to be followed.*

GERUND.

Gen. sequéndi, *of following.*Dat. sequéndo, *for following.*Acc. sequéndum, *following.*Abl. sequéndo, *by following.*

SUPINE.

Acc. secútum, *to follow.*Abl. secúti, *to follow, to be followed.*

It will be observed that *séquor* is conjugated like the passive of the third conjugation. Deponents in their conjugations, follow the passive voice of the conjugation to which they belong. It will be noted, however, from the conjugation of *séquor*, that the present participle, future participle, gerund, supine and gerundive are added from the corresponding active conjugatoins.

126.

Irregular Verbs.

Sum, *I am.*

PRINCIPAL PARTS.

sum, ésse, fúi, futúrus.

INDICATIVE MOOD—PRESENT.

Singular.

sum

es

est

Plural.

súmus

éstis

sunt

IMPERFECT.

éram

éras

érat

erámus

erátis

érant

FUTURE.

éro

éris

érit

érimus

éritis

érunt

PERFECT.

fúi	fuérimus
fuísti	fuéritis
fúit	fúerint

PLUPERFECT.

fúeram	fuerámus
fúeras	fuerátis
fúerat	fúerant

FUTURE PERFECT.

fúero	fuérimus
fúeris	fuéritis
fúerit	fúerint

SUBJUNCTIVE—PRESENT.

sim	símus
sis	sítis
sit	sint

IMPERFECT.

éssem	essémus
esses	essétis
éset	éssent

PERFECT.

fúerim	fuérimus
fúeris	fuéritis
fúerit	fúerint

PLUPERFECT.

fuíssem	fuissémus
fuisses	fuissétis
fuisset	fuissent

IMPERATIVE—PRESENT.

es
éste

FUTURE.

esto
esto
estote
sunto

INFINITIVE.

Pres. esse
Perf. fuisset
Fut. futurus esse

PARTICIPLE.

Fut. futurus, a, -um

127. Póssum, pousse, pótui, *to be able*.

INDICATIVE—PRESENT.

Singular.	Plural.
póssum	possúmus
pótes	potéstis
pótest	póssunt

IMPERFECT.

póteram	poterámus
---------	-----------

FUTURE.

pótero	potérimus
--------	-----------

PERFECT.

pótui	potúimus
-------	----------

PLUPERFECT.

potúeram	potuerámus
----------	------------

FUTURE PERFECT.

potúero	potuérims
---------	-----------

SUBJUNCTIVE—PRESENT.

póssim	possímus
póssis	possítis
póssit	póssint

IMPERFECT.

póssem	possémus
--------	----------

PERFECT.

potúerim	potuérimus
----------	------------

PLUPERFECT.

potuíssem	potuissémus
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INFINITIVE.

Pres. pósse

Perf. potuísse

128. Prósum, prodésse, prófui, profutúrus, *to benefit.*

INDICATIVE—PRESENT.

Singular.	Plural.
prósum	prósumus
pródes	pródestis
pródest	prósunt

IMPERFECT.

próderam	proderámus
----------	------------

FUTURE.

pródero	prodérimus
---------	------------

PERFECT.

prófui	profúimus
--------	-----------

PLUPERFECT.

profúeram	profuerámus
-----------	-------------

FUTURE PERFECT.

profúero	profuérimus
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SUBJUNCTIVE—PRESENT.

prósim	prosímus
prósis	prosítis
prósit	prósint

IMPERFECT.

prodéssem prodessémus

PERFECT.

profúerim profuérimus

PLUPERFECT.

profuíssem profuissémus

IMPERATIVE—PRESENT.

pródes prodéste

FUTURE.

prodésto prodestóte

INFINITIVE.

Pres. prodésse

Perf. profuísse

Fut. profutûrus esse

PARTICIPLE.

Fut. profutūrus, -a, -um

129. Vólo, velle, vólui, *to be willing, wish.*

INDICATIVE—PRESENT.

Singular.

Plural.

vólo

volúmus

vis

vúltis

vult

vólunt

IMPERFECT.

volébam

volebámus

FUTURE.

vólam

volémus

PERFECT.

yólui

volúimus

PLUPERFECT.

volúeram voluerámus

FUTURE PERFECT.

volúero voluérimus

SUBJUNCTIVE—PRESENT.

vélím velímus

vélis velítis

vélit vélint

IMPERFECT.

véllem vellémus

PERFECT.

volúerim voluérimus

PLUPERFECT.

voluíssem voluissémus

INFINITIVE.

Pres. vélle

Perf. voluísse

PARTICIPLES.

Pres. vólens.

130. Éó, íre, ívi (íi), itúrus, *to go*.

SUBJUNCTIVE - PRESENT.

Singular.

Plural.

éo

ímus

is

ítis

it

éunt

IMPERFECT.

íbam

ibámus

FUTURE.

íbo

íbimus

PERFECT.

ívi (íi)	ívimus
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PLUPERFECT.

íveram	íverámus
--------	----------

FUTURE PERFECT.

ívero	ívérimus
-------	----------

SUBJUNCTIVE—PRESENT.

éam	eámus
-----	-------

IMPERFECT.

írem	irémus
------	--------

PERFECT.

íverim	ívérimus
--------	----------

PLUPERFECT.

ívíssem	ívissemus
---------	-----------

IMPERATIVE—PRESENT.

i	íte
---	-----

FUTURE.

íto	itóte
íto	eúnto

INFINITIVE.

Pres. íre
 Perf. ívisse
 Fut. itúrus ésse

PARTICIPLES.

Pres. íens, eúntis
 Fut. itúrus, -a, -um

GERUND.

Gen. eúndi
 Dat. eúndo
 Acc. eúndum
 Abl. eúndo

SUPINE.

Acc. ítum
 Abl. ítu

fíō, fieri, fáctus sum (supplies passive to facio, make), *to be made, become.*

INDICATIVE—PRESENT.

Singular.	Plural.
fíō	fímus
fís	fítis
fít	fíunt

IMPERFECT.

fíebam fíebámus

FUTURE.

fíam fíémus

PERFECT.

fáctus sum fácti súmus

PLUPERFECT.

fáctus éram fácti erámus

FUTURE PERFECT

fáctus éro fácti érimus

SUBJUNCTIVE—PRESENT.

fíam fíámus

IMPERFECT.

fierem

fierémus

PERFECT.

factus sim

facti simus

PLUPERFECT.

factus essem

facti essemus

IMPERATIVE—PRESENT.

fi

fite

INFINITIVE.

Pres. fieri

Perf. factus esse

Fut. factum iri

PARTICIPLES.

Perf. factus

Ger. faciendus

131. féro, férre, túli, látus, *to bear, carry, endure.*

Active Voice.

INDICATIVE—PRESENT.

féro

férimus

fers

fértis

fert

férunt

IMPERFECT.

ferébam

ferebámus

FUTURE.

féram

ferémus

PERFECT.

túli

túlimus

PLUPERFECT.

túleram tuler ámus

FUTURE PERFECT.

túlero tulérimus

SUBJUNCTIVE—PRESENT.

féram ferámus

IMPERFECT.

férrem ferrémus

PERFECT.

túlerim tulérimus

PLUPERFECT.

tulíssem tulissémus

IMPERATIVE—PRESENT.

fer férte

FUTURE.

férto fertóte
férto ferúnto

INFINITIVE.

Pres. férre
Perf. tulísse
Fut. latúrus ésse

PARTICIPLES.

Pres. férens
Fut. latúrus

GERUND.

Gen. feréndi
Dat. feréndo
Acc. feréndum
Abl. feréndo

SUPINE.

Acc. látum

Abl. látu

Passive Voice.

INDICATIVE MOOD—PRESENT TENSE.

féror

férimur

férris

ferímini

fértur

ferúntur

IMPERFECT.

ferébar

ferebámur

FUTURE.

férar

ferémur

PERFECT.

látus sum

láti súmus

PLUPERFECT.

látus éram

láti erámus

FUTURE PERFECT.

látus éro

láti érimus

SUBJUNCTIVE—PRESENT.

férar

ferámur

IMPERFECT.

férrer

ferrémur

PERFECT.

látus sim

láti símus

PLUPERFECT.

látus essem

láti essémus

IMPERATIVE—PRESENT.

férre

ferímini

FUTURE.

fértor

fértor

ferúntor

INFINITIVE.

Pres. férri

Perf. látus ésse

Fut. látum íri

PARTICIPLES.

Perf. látus

Ger. feréndus

132. RULES OF SYNTAX.

I. The subject of a Finite Verb is in the Nominative Case.

II. The object of a Transitive Verb is in the Accusative Case.

III. A Predicate Noun after a neuter or passive verb takes the same case as the subject.

IV. Adjectives, Adjective Pronouns, and Participles agree with their nouns in Gender, Number, and Case.

V. A Pronoun agrees with its antecedent in Gender and Number, but its Case depends upon the construction of the clause in which it stands.

VI. A Noun joined to another noun denoting the same person or thing is in the same case by Apposition.

VII. A Noun limiting another noun denoting a different person or thing is in the Genitive.

VIII. The Possessive Genitive denotes the Author, or the Possessor.

IX. The Subjective Genitive denotes the Subject or Agent of the action or feeling.

X. The Objective Genitive denotes the Object toward which the action or feeling is directed.

XI. The Partitive Genitive denotes the Whole of which a part is taken.

XII. A Noun predicated of another noun denoting a different person or thing, is put in the Predicate Genitive.

XIII. The Indirect Object of an action is in the Dative.

XIV. After *sum* and similar verbs, the Possessor is

expressed by the Dative, the thing possessed being the subject of the verb.

XV. The subject of the Infinitive is in the Accusative.

XVI. Duration of Time and Extent of Space are expressed by the Accusative.

XVII. Source and Cause are denoted by the Ablative with or without a preposition; Accompaniment is denoted by the Ablative, generally with the preposition *cum*; Means and Instrument are denoted by the Ablative alone.

XVIII. Manner is denoted by the Ablative with the preposition *cum*, unless the noun is modified by an adjective or a genitive, in which case the Ablative alone is used.

XIX. That of which anything is deprived, or from which it is removed or separated, is expressed by the Ablative.

XX. The Ablative of Specification is used with Nouns, Adjectives and Verbs, to denote *in what respect* anything is true.

XXI. The Comparative is followed by the Ablative when *quam* (than) is not expressed.

XXII. The Voluntary Agent of a verb in the passive voice is in the Ablative with *a* or *ab*.

XXIII. A noun and a participle, or a noun and an adjective, or two nouns, may be put in the Ablative to denote the time, cause, or other attendant circumstances of an action. This is called the Ablative Absolute. It corresponds with the Nominative Absolute in English.

XXIV. Place where is expressed by the Ablative with *in*.

XXV. After verbs of Motion, Place to which is expressed by the Accusative, Place from which by the

Ablative; names of Towns, without a preposition; other nouns take *ad* or *in* with the Accusative, and *ab*, *de* or *ex* with the Ablative.

XXVI. Verbs of Declaring, Thinking, Believing, Knowing, take after them an Infinitive with a subject Accusative.

XXVII. Clauses denoting Purpose or Result take the Subjunctive after *ut*.

XXVIII. Clauses introduced by *priusquam* take the Subjunctive when they involve an idea of purpose.

XXIX. *Cum* Causal (since), or Concessive (although) takes the Subjunctive; *Cum* Temporal (when) generally takes the Indicative in the Present and Perfect Tenses.

XXX. The Indirect Question has its verb in the Subjunctive.

XXXI. In Indirect Discourse (*Oratio Obliqua*) the verb of the Principal clauses is in the Infinitive, and the verbs of the Subordinate clauses are in the Subjunctive.

XXXII. The Subjunctive is used to express a command, or an exhortation. In this sense it is used chiefly in the first and second persons singular, and the first and third persons plural of the Present Tense.

XXXIII. Clauses introduced by *nisi* express condition, and take the Indicative to represent the supposed case as real; and the Subjunctive to represent it as possible.

XXXIV. The Active Periphrastic Conjugation, formed by combining the Future Active Participle with *sum*, denotes an intended or future action; the Passive Periphrastic Conjugation formed by combining the Gerundive with *sum*, denotes necessity or duty.

XXIV. Deponent Verbs are passive in form and active in meaning.

TABLE OF LEGAL MAXIMS

ANNOTATED.

1. *Absoluta sententia expositione non indiget* :—2
Inst. 533.

Sentence appropriately denotes the action of a court of criminal jurisdiction in declaring the consequences to a convict of the fact of guilt confessed or ascertained by verdict. The judge in delivering such a sentence is not required by the law to give his reasons therefor. *Commonwealth v. Lockwood*, 109 Mass. 325. See Maxim 186.

2. *Abundans cautela non nocet*.

Caution is applied to the use of apparently superfluous words, and the doing of things seemingly supererogatory from an apprehension that otherwise some right may be yielded or prejudiced, or some power or privilege waived; as where formal, technical and synonymous words are employed in instruments, or where slightly varying averments are made in pleading. 6 Wheat. 108.

3. *Accessorium non ducit sed sequitur suum principale* :—Co. Litt. 152*a*.

Rent is incident to the reversion, and by a grant of the reversion the rent will pass, though by a grant of the rent the reversion will not pass.

From the application of this maxim it also follows, that where the principal ceases or is destroyed, the accessory also ceases or is destroyed; as where a less estate being created out of a greater and the greater is destroyed or determined, its destruction or termina-

tion carries with it the destruction or termination of the less. *Harding v. Pollock*, 6 Bing. 63. See Maxim 237.

4. *Acta exteriora indicant interiora secreta*:—8 Coke Reports, 291.

The law, in some cases, judges of a man's previous intentions by his subsequent acts; and on this principle it was decided, in a well-known case, that if a man abuse an authority given him *by the law* he becomes a trespasser *ab initio*; but that where he abuses an authority given him by the party he shall not be a trespasser *ab initio*. The *Six Carpenter's Case*, 1 Smith, Leading Cases, 261.

5. *Actiones legis*.

Certain forms necessary to be observed in prosecuting suits under the Roman laws, were composed from the Twelve Tables. The best English equivalent is law suits.

6. *Actio non accrevit infra sex annos*.

The appropriate plea of the Statute of Limitations, where six years is the statutory limit.

7. *Actio non datur non damnificato*:—Jenk. Cent. 69.

The injury here referred to must be such as the law makes actionable, otherwise the party is *non damnificatus*, and the maxim *damnum sine injuria* applies. See Maxims 90, 224 and 243.

8. *Actio personalis moritur cum persona*.

In actions of tort this was formerly a general rule; recently, however, its application has been generally narrowed, but in strictness still it applies to such actions, as, for libel, slander, false imprisonment, or other personal injury. By Lord Campbell's Act, com-

pensation may now be recovered by the relatives of a person negligently killed.

The right which a husband has to the choses in action of his wife comes also within this rule as being a personal right of action dying with him, and which, if they be not reduced into possession during coverture, survives to the wife.

9. Actori incumbit onus probandi :—Hob. 103.

The burden of proof resting on a plaintiff is coextensive only with the legal proposition upon which his case rests. It applies to every fact which is essential to or necessarily involved in that proposition; not to facts relied upon in defense to establish an independent proposition, however inconsistent with that upon which the plaintiff's case depends. It is for the defendant to furnish proof of such facts. *Wilder v. Cowles*, 100 Mass. 490. See Maxim 108.

10. Actus legis non facit injuriam :—5 Co. 87.

This maxim may be illustrated in an action of debt where the defendant dies before execution, the plaintiff may have a new execution by *elegit* or *fieri facias*; for here there is no default in the plaintiff, he having followed the due and ordinary course of the law.

So where a lease is made to a man and wife during coverture, and the husband sow the land, and afterwards the parties are divorced *a vinculo matrimonii*, the husband shall have the emblements; for the sentence of divorce is the act of law, and *actus legis nemini facit injuriam*. See Maxim 114.

11. Actus non facit reum nisi mens sit rea :—3 Inst. 107.

This maxim has reference chiefly to criminal proceedings, and in such cases it is the rule that the act

and the intent must both concur to constitute a crime; yet the law will sometimes imply the intent from the act under the maxim, *acta exteriora indicant interiora*, as illustrated in Maxim 4.

So murder furnishes at once an instance illustrative of both maxims under consideration; for though, on the one hand, the act of killing does not of itself constitute the guilt, unless done with a guilty intent, yet in such case a guilty intent will be presumed. *Reg. v. Woodrow*, 15 M. & W. 404. See Maxims 90 and 243.

12. *Ad ea quæ frequentius accidunt jura adaptantur:—2 Inst. 137.*

The meaning of this maxim is that the laws are to be so framed as that they be made to adapt themselves to those cases which, in the ordinary transactions of the world, most frequently occur, in preference to their being made to adapt themselves to any isolated or individual case. *Robinson v. Cotterell*, 11 Exch. 628.

13. *Ad quæstionem facti non respondent judices ; ad quæstionem juris non respondent juratores:—Co. Litt. 295.*

Matters of fact are tried by jurors, matters of law by the judges, and the duty of the jurors is to find the truth of the fact, and leave the decision of the law to the judges.

In some cases a jury may be said to exercise also the office of a judge; as, when they are directed as to the law by the judge, but in giving their verdict misapply it, whether from wilfulness or misapprehension.

So judges, by recent legislation, have, in many cases, been given the power to decide matters of fact, as well as of law, without the intervention of a jury; in some cases with, and in others without, the consent of parties. *Bartlett v. Smith*, 11 M. & W. 486.

14. Ad perpetuam rei memoriam.

This is the name given to a bill in equity brought to secure the testimony of witnesses with reference to same matter which is *not* in litigation but is likely to be, thus differing from a bill to take testimony *de bene esse*, which is sustainable only when there is a suit already pending.

15. Ædificare in tuo proprio solo non licet quod alteri nocet :—3 Inst. 301.

A man must enjoy his own property in such a manner as not to invade the legal rights of his neighbor.

So an action will lie, if, by an erection on his own land, a man obstructs the ancient lights and windows of another. See Maxims 172 and 355.

16. Æquitas legem sequitur :—Branch M. 8.

This maxim, though largely quoted by the earlier chancellors, is true in a very narrow and restricted sense in two meanings : first, equity follows the law in the sense of obeying it and conforming to its general rules and policy; and secondly, in applying legal rules to equitable estates.

Thus, in the interpretation of statutes, and in the construction of wills, and other legal instruments, this maxim applies.

17. Æquitas nunquam contravenit legis.

It is the function of equity rather to supplement the law by affording full relief, as in case of specific performance of a contract, where the law only gives partial relief in damages.

18. Alienatio rei præfertur juri accrescendi :—Co. Litt. 185a.

From the time of the Norman Conquest many statutes have been passed, beginning with the Magna Charta,

having a tendency to encourage alienation, until the law became what it now is, and as represented by this maxim.

Now, there are statutes preventing the restriction of alienation of real estate, and preventing the accumulation of personal estate; real estate being inalienable for a longer period than for a life or lives in being and twenty-one years afterwards, and the accumulation of personal estate being restricted to a life or lives in being or twenty-one years. *Thelluson v. Woodford*, 11 Ves. jun. 112, 149. *Fowler v. Fowler*, 10 L. T. (N. S.) 682.

19. *Allegans contraria non est audiendus*:—Jenk. Exch. Rep. 16.

A witness will not be allowed to contradict himself, nor a party to contradict his own witness. A landlord distraining shall not be allowed to deny that a tenancy existed; nor shall a tenant dispute his landlord's title, for, in both instances, they are precluded by the doctrine of estoppel.

Trover furnishes a simple instance of the application of this maxim, a verdict in trover being a bar to an action for money had and received brought for the value of the same goods. So a judgment in trespass, in which the right of property is determined, is a bar in an action of trover for the same thing. *Whar. Max.* 9.

20. *Allegans suam turpitudinem non est audiendus*: 4 Co. Ins. 279.

The meaning is that no one shall be heard in a court of justice to allege his own turpitude or infamy as a foundation of a right or claim; not that a man shall not be heard who testifies to his own turpitude or criminality, however much his testimony may be discredited by his character. *In Re Hallett, Knatchbull v. Hallett*, 13 Ch. Div. 696.

21. Allegatio contra factum non est admittenda.

This is a rule of evidence which excludes all untrue statements, but, if the doctrine of estoppel applies, a party will not be allowed to prove even what is true. For estoppel see Maxims 19, 263 and 269.

22. Ambiguitas contra stipulatorem est.

Thus, if, in a lease, words of exception be used ambiguously, the same being words of the lessor, they are construed most strongly against him.

23. Ambiguitas verborum patens nulla verificatione excluditur.

Ambiguitas patens—patent or open ambiguity—is where the ambiguity is plainly perceptible upon the face of the document under consideration, and is not raised by extrinsic evidence, in which case parol evidence will not be admitted to explain such ambiguity: thus where a testator makes a devise, but omits to insert the name of the devisee; in such case the devise will fail, for, to admit parol evidence to supply this defect, would be to make a devise which the testator himself had not made. See Maxim 73.

24. A mensa et thoro.

This phrase describes a total divorce: a complete dissolution of the marriage relation with all incidental rights. See 40

25. Amicus curiæ :—8 Co. 15.

One who for the assistance of the court gives information of some matter of law in regard to which the court is doubtful or mistaken.

The information may extend to any matter of which the court takes judicial cognizance.

- 26.** Angliæ jura in omni casu libertati dant favorem :—Halk. Max. 12 (1823.)

Time was in English history when the laws did not *in every case* favor liberty, but the above maxim has been more perfectly realized since the Magna Charta, Bill of Rights, *Habeas Corpus* and similar measures.

- 27.** Animo furandi :—Co. 3d Inst. 107.

In order to constitute larceny, the thief must take the property *animo furandi* ; for, when the taking of property is lawful, although it may afterwards be converted *animo furandi* to the taker's use, it is not larceny.

- 28.** Animo testandi.

This is required to make a valid will ; for whatever form may have been adopted, if there was no *animo testandi*, there can be no will.

An idiot, for example, can make no will, for he can have no intention.

- 29.** Annus luctus :—Code, 5, 9, 2.

It was a rule among the Romans and also the Danes and Saxons, that the widow should not marry *infra annum luctus*—within the year of mourning—that is the year following the death of the husband. 1 Bl. Com. 457.

- 30.** Aqua currit et debet currere.

No one can have any right of property in a running stream, but only a right to use it ; and this must be so exercised as not to interfere with other persons possessing similar rights.

A land owner has no better right to stop the flow of a water course, which has its origin on his land than if it arose elsewhere. *Varick v. Smith*, 5 Paige, 137.

31. *Arbitrium est judicium*:—Jenk. Cent. 137.

By an *award* is generally understood the decision of a board of arbitrators, a valid award being equivalent to a judgment on a verdict.

A party disobeying such an award is punishable as for contempt of court.

32. *Arbor dum crescit; lignum cum crescere nescit*:
2 Bul. 82.

When the trunk of a tree is severed from the root and felled to the earth, it becomes timber or lumber.

While the timber is standing, it constitutes a part of the realty; severed from the soil its character is changed—it becomes personalty. 21 Wall. 64.

33. *Argumentum ab auctoritate fortissimum est in lege*:—Co. Litt. 254.

This is an argument, which draws its force from the opinions of persons long held in repute or reverence.

34. *Argumentum ab impotentia plurimum valet in lege*. See Maxim 147.**35.** *Argumentum ad hominem*.

An argument proving a conclusion from the principles and practices of an opponent; often by showing them to be contrary to his argument.

36. *Argumentum ad ignorantiam*.

An argument based upon the ignorance of one's adversary or hearers, or which bases its claim to validity because of their disability to disprove it.

37. *Arma in armatos sumere jura sinunt*:—2 Jus.
574.

This is permitted on the ground of self-defense, which principle was early recognized by the civil law.

38. Assento mentium.

Assent given by all the parties to an act or contract; the meeting of the minds of the parties to any transaction. Mutual assent, which is the meeting of the minds of both parties to a contract, is vital to the existence of a contract. Moreover, this requisite assent must be the work of the parties themselves, as the law can not supply it.

39. Assignatus utitur jure auctoris :—Hal. Max. 14.

This maxim applies generally to all property, real and personal, and refers to assigns by act of parties, as where the assignment is by deed; and to assigns by operation of law, as in the case of an executor. All rights of the assignor in the thing assigned must pass from him to the assignee by virtue of the assignment, for *duo non possunt in solido unam rem possidere*.—Two persons cannot possess one thing in entirety.

It should be observed, also, that the thing assigned takes with it all the liabilities attached to it in the hands of the assignor at the time of assignment, except in cases for the encouragement of commerce, such as sales in market overt, negotiation of promissory notes, bills of exchange, etc. See Maxims 268 and 314.

40. Andi alteram partem.

No man is to be condemned unheard. This is one of the fundamental principles of the British Constitution.

41. Anla regis.

A court established by the Conqueror to advise the king in matters of great moment. It was composed of the king's great officers resident in his palace, the lord high constable, steward, treasurer, the lord chancellor and others. These were assisted by persons learned in the laws—the king's justices, and by the great barons of Parliament. This court was subdivided into chancery, king's bench, exchequer and common pleas. The last being in a special sense the successor of the *aula regis*.

42. A vinculo matrimonii.

This term describes a partial divorce: separation of the parties by law, with all rights preserved.

43. Benignior sententia in verbis generalibus seu dubiis est præferenda :—4 Rep. 15.

This maxim proceeds upon the principle of carrying into effect, as far and as nearly as possible, the intention of the testator, and if there be a general and also a particular intention apparent on the will, and the particular intention cannot take effect, the words shall be so construed as to give effect to the general intention. This is the *cy pres* doctrine which is carried into efficient operation by courts of equity.

44. Bis dat qui cito dat.

This maxim needs no explanation, and it is recognized by all as being expressive of the highest generosity.

45. Bona fide.

A purchaser *bona fide* is one who actually purchases in good faith. 2 Kent, 512.

The law requires all persons in a transaction to act with good faith; and a contract where one of the par-

ties has not acted *bona fide* is void at the pleasure of the innocent party. 8 Johns. 446.

But if a contract be made with good faith, subsequent fraudulent acts will not vitiate it. 2 Miles, 229.

46. Boni judicis est ampliare jurisdictionem :—
Chan. Prac. 329.

The word *jurisdictionem* should be, according to Lord Mansfield, *justitiam*, and the meaning of the maxim in such case is that to be a good judge is to amplify in his office the remedies the law gives, so as, in the most perfect manner, to do the most complete justice, not letting substantial justice be frittered away by nice and unmeaning technicalities, or himself to lay hold of such technicalities as a means of avoiding giving a decision according to the very right, in broad and substantial justice. But this maxim does not mean that a good judge will exceed the limits of his jurisdiction, or that he will do anything other than that which, by the law and practice of his court, he is authorized to do. Whar. Max. 14.

47. Boni judicis est judicium sine dilatione mandare executioni:—Co. Litt. 289.

A judgment, being the sentence of law pronounced by the court, upon the matter contained in the record, should, when once rendered, be executed with all possible speed, consonant with the rights of the party against whom it is rendered, and with the practice of the court.

48. Boni judicis lites dirimere est:—4 Rep. 15.

This may be done by refusing to entertain suits without merit and by according speedy relief to those who have a standing in court. See Maxims 50, 97 and 170.

49. Bonus. A premium paid to a grantor or vendor.

Extraordinary profit accruing in the operation of a stock company. 10 Ves. Ct. 185.

An additional premium paid for the use of money beyond the legal interest. 2 Parsons, Contr. 391.

50. Bonus judex secundum æquum et bonum judicat et æquitatem stricto jure præfert :—Co. Litt. 24.

This maxim is scarcely more than another way of stating Maxim 48.

“I commend the judge,” observes Lord Hobart, “who seems fine and ingenious, so it tend to right and equity ; and I condemn them who, either out of pleasure to show a subtle wit, will destroy, or out of incuriousness or negligence, will not labor to support, the act of the party by the art or act of the law. Hobart, 125.

51. Breve judiciale non cadit pro defectu formæ:—Jenk. Cent. 43.

It is the duty of the judge to look to the *substance* rather than the *form*, and when called upon to pass upon the validity of a writ, to disregard purely formal defects.

52. Cassetur billa.

A judgment sometimes entered against the plaintiff at his request when, in consequence of allegations of the defendant, he can no longer prosecute his suit with effect. It is always the appropriate judgment for the defendant after a successful plea in abatement.

The effect of such a judgment is to stop proceedings, and exonerate the plaintiff from liability for future

costs, leaving him free to sue out new process. Gould Pl. 139.

53. *Casus fortuitus non est sperandus; et nemo tenetur divinare* :—4 Co. 66.

This is another way of saying *nemo tenetur ad impossibilia*, for to foresee a fortuitous or unlooked for event is impossible, and this the law requires of no one. This maxim, however, would not excuse anyone from liability resulting reasonably from one's act, although such liability was not foreseen by the party himself.

54. *Catalla reputantur inter minima in lege* :—Jenk. Cent. 28.

Under the feudal system unusual privileges were accorded to the owners of real estate, and, besides, it constituted by far the greater part of property, hence chattels, which primarily meant beasts of burden, were not much regarded by the law. To such an absurd extent was this rule carried, that a life estate was of greater dignity than a term for a thousand years.

55. *Causa proxima non remota spectatur* :—Bac. Max., reg. 1.

“It were infinite for the law to consider the cause of causes and their impulsions one of another; therefore it contented itself with the immediate cause, and judgeth of acts by that, without looking to any further degree.” Lord Bacon.

This maxim, although of general application, is, in practice, usually cited with reference to that particular branch of the law which concerns marine insurance.

“The general rule is clear, that to constitute interest insurable against a peril, it must be an interest

such that the peril would, by its proximate effect, cause damage to the assured." *Seagrove v. Union Mar. Ins. Co.*, L. R. 1 C. P. 320. See Maxim 158.

56. Caveat emptor:—Hob. 99.

A purchaser of property must examine and judge for himself as to its title and quality, unless dissuaded by representation. This maxim applies to all descriptions of property.

The fundamental inquiry is whether, under the circumstances of the case, the buyer had the right to rely and necessarily relied upon the judgment of the seller. *Kellogg Bridge Co. v. Hamilton*, 110 U. S. 116. Positive fraud, it may be added, vitiates all contracts and such a contract may be declared void, as deed it is *ab initio*.

57. Caveat venditor.

This maxim of the civil law expresses a doctrine the reverse of the rule of *caveat emptor* of the common law.

It applies to executory sales, to contracts for goods to be manufactured or produced, or to sales where the buyer has no opportunity to inspect the article purchased.

58. Capi corpus et est languidus.

The return made by an officer, when a person, who is arrested, is so sick that to remove him would endanger his health or life.

Such a person may be left in charge of a deputy.

59. Capi corpus et paratum habeo.

The return made by an officer, when a defendant,

who has been arrested, is held by being subject to the order of the court.

60. *Certum est quod certum reddi potest*:—9 Co. 47.

When the law requires certainty, that is accepted for certainty which, by computation or testimony, can be shown to be already certain.

Thus, in a contract for the sale of lands or goods, where the particulars of the lands or goods contracted to be sold are not set out in the contract, but reference is made to another instrument, in which they are set out; and, where, on the sale of large quantities of machinery and stock in trade, reference is made to an advertisement in the newspapers or to particulars of sale by auction.

61. *Cessante causa, cessat effectus*:—Co. Litt. 70.

See Maxim 62.

62. *Cessante ratione legis, cessat ipsa lex*:—Co. Litt. 70.

This finds familiar illustration in the protection from all civil process given to a foreign ambassador whilst in the exercise of the duties of his office in this country; to members of Parliament during the sitting of Parliament; to all judges exercising their judicial functions, and to barristers attending the courts of law and equity. The reason in these particular cases being that such protection is necessary for the performance by them of their respective duties, but the moment they cease to be so acting the protection so afforded them also ceases.

The maxim is also applicable to property and finds illustration in the case of a proprietor, who is responsible for the due performance of rights and duties re-

specting his property, so long as he is owner thereof; but so soon as the property passes from him, the incidents connected therewith, which the law attaches thereto, also pass. Whar. Max. 17. See Maxims 61, 334 and 367.

63. *Clausulæ inconsuetæ semper inducunt suspicionem* :—3 Co. 18.

In Twyne's case (1 Smith's Leading Cases, 1), a deed containing a clause that the gift was made "honestly, truly and *bona fide*," was held fraudulent and void, even though made for a valuable consideration. The French express it differently—*qui s'excuse s'accuse*. See Maxim 104.

64. *Cogitationis poenam nemo meretur* :—2 Inst. Jur. Civ. 658.

It is laid down by Lord Mansfield that, so long as an act rests in bare intention, it is not punishable, yet when an act is done, the law judges not only of the act itself, but of the intent with which it was done. An exception to this rule under the common law was to be found in the case of treason where the maxim *voluntas reputatur pro facto*—the will is taken for the deed—applied. See Maxim 383.

65. *Commodatum*.

A contract by which one of the parties binds himself to return to the other certain personal chattels which the latter delivers to him to be used by him without reward.

66. *Communis error facit jus* :—4 Inst. 240.

Communis error, or common error, is another name for *communis opinio*, or common opinion, thus ex-

pressed by Littleton : *Il est communement dit*—it is commonly said:

Law is the common voice of the people, and that which is common to all must govern each. Moreover, to say that common error is law is merely to say that what is called universal opinion may be, and frequently is, universal error, though till the error is discovered it is law.

It should, however, be borne in mind that a law founded upon the above maxim is good only so long as it is not opposed to any positive law to the contrary. Whar. Max. 18. See Maxim 246.

67. *Conditio præcedens adimpleri debet priusquam sequatur effectus :—Co. Litt. 201.*

In case of a conditional contract, the condition precedent must happen before either party becomes bound by the contract.

Condition precedent is usually applied to estates, which are either to vest or become enlarged upon the happening of the condition precedent. Thus, if an estate be limited to A. for life upon his marriage with B., the marriage is a condition precedent.

68. *Confessio, facta in judicio, omni probatione major est :—Jenk. Cent. 102.*

The confession here referred to has reference to criminal law, and is an admission by the prisoner that he has committed the crime with which he is charged. When made in open court it is termed *judicial*, and, by reason of its great solemnity, is regarded as evidence of the highest value.

69. *Confirmatio est nulla ubi donum præcedens est invalidum :—Co. Litt. 295.*

An illegal act cannot be rendered valid by a sub-

sequent confirmation. Thus, a lease for twenty years, fraudulently executed by a life-tenant, cannot be confirmed by the reversioner or remainderman.

70. Consensus non concubitus facit matrimonium ;
et consentire non possunt ante nubiles annos :
6 Co. 22.

This maxim has been adopted from the civil law by the common lawyers, and marriage under this rule of the civil law is a civil contract, such contract being the present consent to the present marriage, as differing from the present consent to the future marriage of the parties ; to give such consent the parties must be of proper age, as in the latter part of the maxim, otherwise the marriage is void as to such one who is not of such proper age, at his or her election, on attaining such proper age.

Different countries have different usages with regard to the ceremonies to be performed at the celebration of marriage ; but consent is everywhere absolutely necessary to constitute a natural and legitimate union.

The rule that *consensus facit matrimonium* is also applicable to the case in which either party, at the date of the marriage, is laboring under mental incapacity. See Maxim 138.

71. Consensus tollit errorem :—Co. Litt. 126.

Whatever is pleaded and not denied, shall be taken as admitted, and the jury cannot find to the contrary ; as, if the defendant in an action of covenant does not plead *non est factum*, the execution of so much of the deed as is on the record is admitted. Also suffering judgment by default is an admission on the record of the cause of action ; as, in an action against the acceptor of a bill of exchange, the defendant, by suffer-

ing judgment by default, admits a cause of action to the amount of the bill.

Consent is as much given in standing by without objection as in actual expressed assent.

This rule should be cautiously observed, as in all proceedings, legal or otherwise, where consent or refusal is required, in the advance of positive refusal, consent will be implied ; as *qui non improbat, approbat*—he who does not blame, approves. Whar. Max. 19. See Maxims 134, 317.

72. *Consuetudo loci observanda est.*

Custom, *consuetudo*, is a law not written, but established by long usage concurred in by all. Where a law is established by an implied consent, it is either common law or custom ; if it be universal, it is common law ; if particular to this or that place, it is custom.

There are several requisites to the validity of a custom ; namely, certainty, reasonableness, immemorial existence, uninterrupted continuance, peaceable enjoyment and acquiescence in, compulsory and consistent with other customs, while customs in derogation of the rights of property must be strictly construed.

Where, therefore, a custom, characterized as above, has acquired the force of express law, reference must of course be made thereto in order to determine the rights and liabilities of parties arising out of transactions affected by it ; for *optimus interpret rerum usus*—the best interpreter of affairs is usage. See Maxims 295 and 296.

73. *Contemporanea expositio est optima et fortissima in lege:—2 Inst. 11.*

Where the language of a document, of whatever description, is doubtful, its meaning is best under-

stood by reference to, and consideration of, the circumstances attending its original formation.

All deeds, wills, contracts and statutes are made to effect some particular object, existing and in view of the parties at the time they are made; and the circumstances attending their creation are, therefore, the best guides to their interpretation.

Where the language of the instrument is plain no extrinsic circumstances will be permitted to be adduced, for that would be to make a contract for the parties which, it plainly appeared, they had not made. Whar. Max. 21. See Maxims 23 and 117.

74. *Contra bonos mores.*

This applies to offenses against good morals, such as indecency and obscenity; and also to a contract against good morals, which will not be enforced by the courts, as an obligation resting upon an immoral consideration. 2 Wils. 447. See Maxim 111.

75. *Contractus est quasi actus contra actum:—2 Co. 15.*

A contract to be enforceable must contain a consideration as well as an agreement, otherwise it is a *nudum pactum*, or an agreement without a consideration, and as such is not recognized in law.

76. *Contra non valentem agere nulla currit præscriptio.*

Generally, *præscriptio* runs only from the time when the plaintiff might have brought his action, unless then under disability.

In actions brought to recover land, rent or legacies, a certain additional time is allowed after the disability ceases.

In actions having reference only to things strictly personal, the same time is allowed, after the disability ceases, as would have been allowed at the time the cause of action accrued had no such disability then existed.

But where the statute has begun to run no subsequent disability interrupts it.

77. *Conventio privatorum non potest publico juri derogare*:—Wing. 746. See Maxim 78 and 297.

78. *Conventio et modus vincunt legem*:—2 Co. 73.

This maxim is the most elementary principle of the law relative to contracts. The conditions annexed to a grant or devise, the covenants in a conveyance, and the agreements, whether written or verbal, entered into between parties, have, when duly executed and perfected, and subjected to certain restrictions, the force of law over those who are parties to such instruments or agreements. Broom Max. 690. See Maxim 297.

79. *Coram Domino Rege*.

Proceedings in the Court of King's Bench are said to be *coram rege ipso*. 3 Bla. Com. 4.

80. *Corpus delicti*.

The essential element of an offense: the fact that a particular crime has been committed.

The *corpus delicti* in murder has two components: death as the result, and criminal agency of another as the means.

When there is direct proof of the one, the other may be established by circumstantial evidence.

The possession of the fruits of a crime may do away with direct proof of the *corpus delicti*.

81. Corpus humanum non recipit æstimationem:—
Hob. 59.

There is no standard by which to estimate an injury inflicted upon the person, and especially is this true when the injury results in death.

82. Crescente malitia crescere debet et pœna:—2
Inst. 479. See Maxims 90 and 243.

83. Crimen omnia ex se nata vitiat:—5 Hill, 523.

This applies to a contract tainted with fraud. If the intention of the parties to the contract be corrupt in the substance and design, no pretext, however plausible, no contrivance, however specious, no coloring, however artful, can veil the transaction.

84. Crimen trahit personam:—People v. Adams, 3
Den. 190 and 210.

Personal presence at the place where the crime is committed is not always essential to make the offender a principal. This occurs where the crime is committed by means of an innocent living agent. The employer though absent is deemed to have been personally present. To assert the contrary is to hold there may be a crime without a criminal.

85. Cujus est dare, ejus est disponere:—Wing.
Max. 53.

This maxim sets forth the principle on which the old feudal system of feoffment depended—it is the tenor of the feudal grant which regulates its effect and extent.

This rule, however, is subject to qualifications when

applied to modern law. Although it is true, in general, that the law permits every man to part with his own interest, and to qualify his own grant as he pleases, yet it does not permit any allowance or recompense to be made if the thing granted be not taken as it is granted, and, therefore, if one grants a common for ten beasts for three years, and the grantee neglect for two years to use the right thus given, he shall not the third year have common for thirty beasts, for the time is certain and precise.

86. Cujus solum, ejus est usque ad coelum ; et ad inferos :—Co. Litt. 4.

He who owns the land owns all above and all below the surface. Upward no man may erect a building to overhang another's land ; and downward, whatever is in a direct line belongs to the owner of the surface.

It is under the same rule, or *ad inferos*, that taking away the natural support of the adjoining soil from a house or other structure is a trespass against the owner of the land and is actionable.

This maxim is, to some extent, connected with the maxim, *sic utere tuo ut alienum non lædas*—so use your own as not to injure what belongs to another ; and no person, generally speaking, will be permitted to use his land to the injury of his neighbor. *Redman v. Forman*, 83 Ky. 216. See Maxims 15 and 355.

87. Cum duo inter se pugnancia reperiuntur in testamentis ultimum ratum est :—Co. Litt. 112.

This maxim must be applied with caution, inasmuch as it is subject to the general rule of construction in wills, by which the intention of the testator *must* be the paramount consideration and which intention must be gathered from the whole tenor of the will.

Two apparently contradictory clauses will, if possible, be reconciled so as to carry out the intention of the testator, and so as not to reject either.

But where there are two clauses manifestly repugnant to each other, as two devises of the same thing to different persons, then the maxim holds good, unless a contrary intention can be gathered from the whole instrument. *Morrall v. Sutton*, 1 Phill. 536.

88. *Cursus curiæ est lex curiæ* :—3 Buls. 53.

This applies to courts of equity as well as of common law ; but the practice of one court does not govern that of any other, nor does the maxim mean that a court may interfere with, to pervert or nullify, positive statutory enactment and the due course of the law.

The court must see to it that the law, according to the practice of the court, is carried into effect, for the law would be of no avail without the means of carrying it into effect, and courts of law would be chaos without rules for their government. *Wallworth v. Holt*, 4 My. & Cr. 635. See Maxim 131 and 377.

89. *Custodia legis*.

Property lawfully taken by virtue of legal process is in the custody of the law; so with a person under lawful arrest. See Maxim 130.

90. *Damnum sine injuria*.

Injuria is here to be taken in the sense of *legal injury* ; and in the absence of malice there are many cases of wrong or suffering inflicted upon one for which the law gives no remedy; as where a public agent, within the scope of his authority, causes damage, it is simply *damnum sine injuria* ; also where an owner, prudently exercising his right of ownership does acts,

which cause loss to another. 10 Metc. 371. See Maxims 7, 224 and 243.

91. *Debile fundamentum fallit opus*:—Noy Max. 20.

This maxim is familiarly illustrated in the case of a will void by reason of its not being duly attested according to statute provisions, or on account of the coverture of the testatrix at the time of making the will. All the dispositions and limitations of property contained therein are also necessarily void, nor can the original defect be cured by lapse of time.

92. *Debitor non præsumitur donare*:—Jur. Civ.

This maxim has reference to the law of satisfaction. When a debtor bequeaths to his creditor a sum of money equal to or exceeding the amount of his debt, it is presumed, in the absence of any contrary intention, that such legacy was meant, and was given, by the testator as a satisfaction of the debt.

This presumption does not arise, however, where the debt was not contracted until after the will was made, or where the legacy was contingent, or specific. *Talbot v. Shrewsbury*, 2 White & Tudor, Leading Cases in Equity, 378. See Maxims 268 and 314.

93. *Debitum et contractus sunt nullius loci*:—7 Co. 61.

This refers to the common law rule respecting *venue*, which had to be laid truly in all actions except those of a transitory nature, such as contract and debt, in which actions it might have been laid in any county where the plaintiff found the defendant.

94. *Debitum in præsentì, solvendum in futuro*:—
Leggett v. Bank of Sing Sing, 24 N. Y. 283.

This describes any class of obligations complete at the present day, though payable in the future.

95. De bonis non administratis.

Occurs where another administrator has died, or been discharged, leaving a part of the estate unsettled,

96. Delegata potestas non potest delegari:—2 Inst. 597.

Whenever authority is conferred upon a particular individual, he cannot lawfully devolve the duties of his appointment or the functions of his office upon any other person, unless allowed so to do by express words, by acts equivalent thereto, or by the usage of trade. *Hunt v. Burrell*, 5 Johns. See Maxims 3, 99 and 311.

97. De minimis lex non curat:—Cro. Eliz. 353.

This is shown in the refusal of courts to grant new trials in trifling cases, or where the damages are small, in refusing to try trifling actions, in amending proceedings for defect in form; but, generally speaking, subject to above and kindred qualifications, every legal right may be enforced, and every wrong, however slight, has its remedy. 5 Hill, 170. See Maxims 48 and 115.

98. De non apparentibus et de non existentibus eadem est ratio:—5 Co. 6.

A thing which is not made to appear is regarded as if it could not be made to appear and did not therefore exist.

The record of a court of limited or inferior jurisdiction must show jurisdiction rightfully exercised, but in courts of record of general jurisdiction all things are

presumed to have been rightly done. So the contents of a document in dispute must be proved. 4 Mass. 685. See Maxim 328.

99. Derivativa potestas non potest esse major primitiva :—Noy Wing. 66 ; Wing. 26. See Maxims 3, 96 and 311.

100. Deus solus haeredem facere potest, non homo : Co. Litt. 7.

The word heir in legal understanding signifies him to whom lands, tenements, or hereditaments, by the act of God and right of blood, descend.

Hence no one can be heir who is not *ex justis nuptiis procreatus*—begotten of a *lawful* marriage. See Maxims 141, 142 and 299.

101. Dies Dominicus non est juridicus :—Co. Litt. 135.

None of the courts of law or equity can sit upon this day ; nor is the execution of any civil process, nor the performance of any works, save of necessity or charity, lawful.

But arrests in criminal cases, and all proceedings and acts necessary for the immediate protection and safety of the State, are exceptions, even if not made so by statute. *Wright v. Lewis*, 9 Dowe. 183.

102. Discretio est discernere per legem quid sit justum :—10 Co. 140.

“Discretion, when applied to a court of justice, means *sound discretion guided by law*. It must be governed by rule, not by humor ; it must not be arbitrary, vague, and fanciful, but legal and regular.” Lord Mansfield. *R. V. Wilkes*, 2 Burr. 25, 39.

- 103.** *Domus sua cuique est tutissimum refugium:—*
5 Co. 91.

Under this maxim a man's house is a refuge for him as against any civil process, to serve which no officer is, in general, allowed to break open an outside door; though in criminal proceedings this may be done, as the public safety supersedes private.

A man may defend his house even to the taking of life, if apparently necessary to prevent persons from entering it by force. *Davison v. People*, 90 Ill. 229.

- 104.** *Dona clandestina sunt semper suspiciosa:—*Noy
Max. 152.

Secret transfers of property are always regarded with distrust. See Maxim 63.

- 105.** *Dormiunt leges aliquando, nunquam moriuntur.* 2 Inst. 161.

For example, a state of war sometimes suspends the operation of the statute of limitations, but on the cessation of hostilities the statute again begins to run.

- 106.** *Doti lex favet; præmium pudoris est; ideo parcat:—*Co. Litt. 31.

So strong is the maxim in its operation, that dower, when it once attaches, can not be defeated except by the consent of the wife, or by divorce *a vinculo*.

- 107.** *Duo non possunt in solido unam rem possidere:*
Co. Litt. 368. See Maxim 39.

- 108.** *Ei incumbit probatio qui dicit, non qui negat.*

The principle is that he who affirms the existence of a given state of facts must prove it; a rule adopted because the negative does not admit of the direct and simple proof of which the affirmative is capable. See Maxim 9.

109. Error, qui non restituitur, approbatur: Doc. and Stud. C. 70.

Thus one who enables another to commit a fraud is answerable. A person who has a title to property offered for sale at an auction, and, knowing his title, stands by and encourages the sale, or does not forbid it, will be bound by the sale. See Maxims 71 and 317.

110. Exceptio probat regulam.

The translation carries with it its own explanation.

111. Ex dolo malo actio non oritur:—Cowp. 343.

This maxim establishes the position that an action cannot be maintained which is founded in fraud, or which springs *ex turpe causa*.

A court of law will not lend its aid to enforce the performance of a contract, which appears to have been entered into by both the contracting parties for the express purpose of carrying into effect that which is prohibited by the law of the land, or which is founded on an immoral consideration. See Maxims 74 and 119.

112. Executio est executio juris secundum judicium:
3 Inst. 512. See Maxim 113.

113. Executio legis est finis et fructus legis:—Co. Litt. 209. See Maxim 112.

114. Executio legis non habet injuriam:—2 Inst. 482.

Courts of law should see to it that the process of the court is not made use of for the purpose of oppression and injustice, though, however rigorous the remedy may seem to be, that one is not to be considered unjust who resorts to the courts merely to obtain his legal rights. It is not the use but the abuse of the process of law, which makes an injury, and the misuser of the process

of the law is a question of damages between the parties. Hobart, 269. See Maxim 10.

115. *Ex nil nihil fit.* See Maxim 97.

116. *Ex nudo pacto actio non oritur* :—Pl. Com. 305.

This refers to a parol or simple contract, whether by word of mouth or writing; but not to a contract under seal, which does not require a consideration.

This consideration, however, need not be money or goods, but it may proceed from nature, as a contract by a father with another that if the latter will take his daughter to wife he will give him \$1,000. Here the money may be recovered by an action. See Maxim 119.

117. *Ex præcedentibus et consequentibus optima fit interpretatio.* See Maxims 23 and 73.

118. *Extra legem positus est civiliter mortuus.*

One *civiliter mortuus* is dead only in contemplation of law.

Formerly if a man was banished or abjured by the realm he was civilly dead.

A bankrupt is so regarded with us. *International Bank v. Sherman*, 101 U. S. 406. See Maxim 160.

119. *Ex turpe causa non oritur actio* :—Cowp. 343. See Maxims 74 and 111.

120. *Facultas probationum non est angustanda* :—4 Inst. 279.

The law permits a man to introduce all the evidence at his command that is not excluded because of irrelevancy, immateriality, etc. See Maxim 274.

121. *Falsa demonstratio non nocet* :—6 T. R. 676.

An instrument, open to construction for an incorrect or false description of a person or thing, will be so construed as to carry into effect the intention of the parties, so far as can be done without interfering with the positive and plain meaning of the document, apart from the incorrect or false description.

If there be a positive devise of Knowle Field, in the parish of A. to B., to which the testator adds some further description inconsistent with that already given, such superadded description will be rejected under this maxim, and not allowed to vitiate the already perfect devise. *Mellers v. Travers*, 8 Bing. 244. See Maxims 239, 249, 280 and 312.

122. *Fatetur facinus qui judicium fugit* :—3 Inst. 14.

Flight gives rise to a strong presumption of guilt, which is not easily rebutted.

123. *Felix qui potuit rerum cognoscere causas*.

No one, of course, can ascertain the motive or the cause of all things but God, “who looks not at the deed alone but pries into the heart with subtle skill.” See Maxim 226.

124. *Felonia implicatur in qualibet proditione* :—3 Inst. 15.

This is on the principle that *majus continet minus*—the greater contains the less, and, since treason is the most heinous crime known to the law, it carries with it felony.

125. *Festinatio justitiæ ese noverca infortunii* :—
Hob. 97.

Even justice miscarries when there is undue haste.

126. *Fictio cedit veritati ; fictio juris non est, ubi veritas :—*11 Co. 51.

This maxim finds illustration in the fiction which holds that the members of a corporation are citizens of the State in which it was incorporated, in order, where a corporation is a party, to give the Federal Courts jurisdiction on the ground of diverse citizenship. If the members *are* actually citizens of the State of incorporation, then the fiction yields to truth as expressed in the maxim under consideration.

127. *Fides servanda.*

A maxim with regard to the sales of personalty. If there is no express warranty, general rules of implication should be adopted with this maxim in view. A warranty will be implied only when good faith requires it. *McCoy v. Archer*, 3 Barb. 330.

128. *Fieri facias* (abbreviated *fi. fa.*)

The important words in a writ of execution—that you cause to be made out of the goods, or lands, or both, the amount of the claim.

129. *Filiatio non potest probari :—*Co. Litt. 126.

When the mother is or has been married, her husband is presumed to be the father of the children born during the coverture, or within a competent time afterwards, whether they were conceived during the coverture or not : *pater est quem nuptiae demonstrant*.

The rule is founded upon the double presumption of cohabitation before the birth of the child, and that the mother has faithfully observed the vow she made to her husband. See Maxims 350 and 351.

130. *Firmior et potentior est operatio legis quam dispositio hominis :—*Co. Litt. 102.

Thus an agreement entered into between two persons cannot, in general, affect the rights of a third party; so if it be agreed between A. and B. that B. shall discharge a debt due from A. to C., such an agreement cannot prevent C. from suing A. for its recovery. See Maxim 89.

131. *Forma legalis forma essentialis est* :—10 Co. 100. See Maxim 88.

132. *Fortior est custodia legis quam hominis* :—2 Rol. Rep. 325. See Maxim 130.

133. *Fractionem diei non recipit lex.*

When an act has to be done on a certain day, the whole of that day is allowed in which to do it. This rule has, however, its exceptions, for in case of documents registered or recorded on the same day, priority may be shown by the numbers, and this becomes at times of the utmost importance.

134. *Fraus est celare fraudem* :—1 Ver. Rep. 240.

This illustrates the doctrine of constructive frauds. Where a man designedly produces a false impression on another, and the latter subsequently commits some act, or enters into some contract, injurious to himself and his own interests, the former is guilty of fraud. See Maxim 71, 317.

135. *Fraus est odiosa et non præsumitur* :—Cro. Car. 550.

This maxim refers rather to actual than constructive frauds. An actual fraud carries with it a fraudulent intent and must be proved by the party setting it up. Constructive frauds arise from construction of law, where there is a confidential relationship such as

guardian and ward, or parent and child, and must be disproved by the party sustaining such relationship.

136. *Fraus et jus nunquam cohabitant* :—Wing. 680.

Because fraud and justice are mutually exclusive. See Maxim 197.

137. *Frustra probatur quod probatum non relevat* : Halk. Max. 50.

This is a maxim of evidence and applies to irrelevant testimony, which should be excluded, but which, when admitted, is proven in vain, unless it be to confuse the minds of the jurors.

138. *Furor contrahi matrimonium non sinit, quia consensus opus est* :—Wrightman *v.* Wrightman, 4 Johns. Ch. 343, 345. See Maxim 70.

139. *Generalis regula generaliter est intelligenda* : 6 Co. 65. See Maxim 179.

140. *Habeas corpus*.

This is the most famous writ in the law, and, by reason of its employment to remove illegal restraint upon personal liberty, it is often called the great writ of liberty.

It commands the person, who has another in detention, to produce the body of the prisoner, with the day and cause of his caption and detention, to do, submit to, and receive whatever the judge or court awarding the writ shall consider in that behalf.

141. *Hæres est nomen legis, filius est nomen naturæ* :—Bae. Max. Reg. 11.

A bastard or one born out of wedlock, or not within

a competent time after its determination is a *filius*, but cannot be an heir. See Maxims 100 and 142.

142. *Hæres legitimus est quem nuptiæ demonstrant:—Co. Litt. 7.*

This rule is peculiarly applicable to the common law of England, by which no one can inherit any land, who was not born after the lawful marriage, according to the common law, of the parents; and differs from the civil and canon law, which legitimizes the children born out of wedlock by the after marriage of their parents.

Under this rule a deformed person, an idiot and a lunatic might be heirs, but not so with a monster, not having human shape. See Maxim 100, 141 and 299.

143. *Idem nihil dicere et insufficienter dicere est: 2 Inst. 178.*

It is as much a fraud to speak insufficiently as to say nothing, where the law calls upon one to speak. See Maxim 134.

144. *Id quod commune est, nostrum esse dicitur:—Lawrence v. Sebor, 2 Cai. 203, 207.*

This maxim covers the contract of marine insurance by one partner, without a specification of the interest he means to cover, in which case Valin considers the insurance should extend to the whole cargo. More familiarly, light and air being common are said to be ours.

145. *Ignorantia facti excusat; ignorantia legis non excusat:—1 Co. 177.*

According to this maxim, it is presumed that every one knows the law, though he is not presumed to know every fact.

This presumption of knowledge of the law admits of exceptions in doubtful cases. An infant of the age of discretion is punishable for crimes, though ignorant of the law; but those under such age are excused. So also persons not of sane mind are excused.

This maxim does not appear to apply to judges whose ignorance of the law may be palpable, yet whose judicial discretion and prerogatives hedge them about with a sort of divinity. See Maxim 231.

146. Imperium in imperio.

This phrase—a sovereignty within a sovereignty—is often used in speaking of the dual character of the government of the United States; namely, State and Federal.

147. Impotentia excusat legem :—Co. Litt. 29.

Impotency excuses the law where the impotency is a necessary and invincible disability to perform the mandatory part of the law or to forbear the prohibitory. This rule, however, does not apply to contracts between parties; for what a man does voluntarily, he will be bound thereby.

And where involuntary ignorance is the cause of the act, it is said to be done *ex ignorantia*; as, if an insane man kill another, for he has no understanding. See Maxim 34.

148. Impunitas semper ad deteriora invitatur :—5 Co. 29.

It is not the severity of the law but rather the certainty of its execution that prevents crimes and misdemeanors.

A failure to execute or a laxity in execution encourages rather than deters the criminal classes. See Maxim 252.

149. In æquali jure melior est conditio possidentis :
Plow. 266.

It is a rule of law that a plaintiff shall recover upon the strength of his own title, and not upon the weakness of his adversary's; possession, as a *prima facie* right in the defendant, being sufficient to call for proof of an absolute right in the plaintiff. This maxim applies alike to equity and law, and embraces the cases of fraudulent and illegal agreements, conveyances and transfers of property, and as well where the parties are in *pari delicto* as in *æquali jure*.

It finds illustration in an action of negligence, where the plaintiff has contributed to the injury complained of, in which case he cannot, as a rule, recover. See Maxims 163 and 248.

150. In alta proditione nullus potest esse accessorium sed principalis solummodo:—3 Inst. 138.

The crime of treason, at common law, was counted so heinous that all who participated in it were considered principals. Our Constitution provides that to prove this offense there must be two witnesses to the same overt act, and nothing short of this overt act amounts to treason. A mere conspiracy to subvert the established government is not treason. There must be an actual levying of war. Then all, who perform any act, however minute or remote from the scene of action, if leagued in the general conspiracy, are traitors. 4 Cranch. 75, 126.

151. In Anglia non est interregnum:—Jenk. Cent. 205.

This is a maxim of the English Constitution, which holds that immediately upon the decease of the reigning prince in his natural capacity, the office, with all

of its prerogatives, without any *interregnum* or interval vests at once in his successor, who is, *eo instante*, king to all intents and purposes. See Maxim 344.

152. In casu extremæ necessitatis omnia sunt communia :—1 Hale. P. C. 54.

There are many cases in which individuals sustain an injury for which the law gives no action ; as, where private houses are pulled down for the preservation of the country from an enemy or to arrest the progress of a fire. So where a public highway becomes impassable, it is for the general good that the public be allowed to pass over adjacent lands. See Maxims 217, 261 and 346.

153. In criminalibus probationes debent esse luce clariores :—3 Inst. 210.

The nearest modern equivalent of this civil law maxim is to be found in that principle of evidence, in criminal cases, which requires the guilt of the accused to be proven beyond all reasonable doubt.

154. In curia domini regis, ipse in propria persona jura discernit.

After the dissolution of *Aula Regis*, the English kings frequently sat in the court of King's Bench and in later times, James the First, is said to have sat there until informed by the judge that he could not deliver an opinion.

155. In fictione legis æquitas existit :—11 Co. 51.

In fiction of law, *rex non potest peccare* and *rex nunquam moritur*. So a man in possession of property is considered to be rightly in possession until the contrary is shown ; and a man is considered innocent of a crime until found guilty. So the doctrine that money

to be laid out in land is to be treated as land, though long established in courts of equity, is in truth a mere fiction.

156. *In foro conscientiae.*

The term is applied to moral obligations as distinct from the obligations which the law enforces.

Thus it finds illustration in the sale of property where the vendee conceals facts which would enhance the price, there being no *legal* obligation on the part of the vendee to disclose them.

157. *In futuro:* At a future time.

158. *In jure non remota causa sed proxima spectatur:* Bac. Max. reg. 1. See Maxim 55.

159. *Injuria non excusat injuriam:* Broom Max. 270.

It is not true that misconduct must necessarily exclude the plaintiff who is guilty of it from the right to sue, and a trespasser, although liable to an action for the injury which he does, does not necessarily forfeit his right of action for an injury which he has sustained. See Maxims 285 and 288.

160. *In mortua manu.*

Property owned by religious societies was said to be held *in mortua manu*, or in mortmain, since religious men were *civiliter mortui*.

The words now designate all prohibitory laws which limit, restrain or annul gifts, grants or devises of lands or other corporeal hereditaments to charitable uses. See Maxim 118.

161. *In omni re nascitur res quæ ipsa ipsam rem exterminat:*—2 Inst. 15.

This maxim is not exclusively a legal one and may be

translated—In every thing is born that which destroys the thing itself. This is true, of course, unless the destructive agency, as the worm in the wood, is removed.

162. In novo casu novum remedium apponendum est:—2 Inst. 3. See Maxims 212 and 368.

163. In pari delicto potior est conditio possidentis:—4 T. R. 564. See Maxims 149 and 248.

164. In personam.

A remedy where the proceedings are against the person in contradistinction to those which are against specific things, or *in rem*.

165. In quo quis delinquit in eo de jure est puniendus:—Co. Litt. 233.

This maxim, while providing for a punishment for every offense, yet asserts that this punishment should be according to law, having no justification, it would seem, for those who take the law in their own hands.

166. In re dubia magis inficiatio quam affirmatio intelligenda:—Godb. 37.

This is because the burden of proof is upon him who affirms rather than upon him who denies—a negative being more difficult of proof than an affirmative. See Maxims 9 and 108.

167. In republica maxime conservanda sunt jura belli:—2 Inst. 58.

In accordance with the principle of this maxim the civil courts have uniformly declined to interfere with acts affecting military rank, offenses against articles of war, or military discipline. Nor can the acts of military officers or tribunals, within the scope of their jurisdiction, be revised, set aside or punished civilly or criminally by the civil courts. 8 Allen, 484.

168. Intentio inservire debet legibus, non leges intentioni:—Co. Litt. 314. See Maxim 177.

169. Inter arma leges silent.

The law of military necessity supersedes all civil law, and in time of war administration of the municipal law may be suspended.

170. Interest reipublicæ res judicatas non rescindi:
2 Inst. 359.

Because if parties, having had a judgment—*res judicata*—rendered against them, were not concluded to begin a new action, there would be no security in a judgment and no end to litigation.

For full meaning of *res judicatas*, see Maxim 339.

171. Interest reipublicæ suprema hominum testamentarata haberi:—Co. Litt. 236. See Maxims 177, 364 and 371.

172. Interest reipublicæ ut quilibet re sua benetur:—6 Co. 37. See Maxims 15 and 355

173. Interest reipublicæ ut sit finis litium:—Co. Litt. 303.

Within the meaning of this maxim are the statutes of limitations of actions; for example, an action to recover land must be brought within twenty years after the right of action accrues.

This maxim holds good also in equity, for equity courts will as nearly as can be, be guided in their decisions by the statutes limiting actions at law, though they will not apply them to cases of breach of trust. See Maxims 170 and 339.

174. Interpretare et concordare leges legibus est optimus interpretandi modus:—8 Co. 169. See Maxims 175 and 375.

175. Interpretatio fienda est ut res magis valeat quam pereat:—Broom Max. 543.

Thus deeds shall be so construed as to operate according to the intention of the parties, if by law they may; and if they cannot in one form, they shall operate in that which by law will give effect to the intention. For instance, a deed intended for a release, if it cannot operate as such, may amount to a grant of the reversion, an attornment, or a surrender. See Maxim 375.

176. Interruptio multiplex non tollit præscriptionem semel obtentam:—2 Inst. 654.

Prescription, according to Coke, is a title by authority of law, deriving its force from use and time. When once acquired it cannot be taken away by subsequent interruption in its enjoyment.

177. In testamentis plenius testatoris intentionem scrutamur:—Broom Max. 545.

That is to say, a will shall receive a more liberal construction than its strict meaning, if alone considered, would permit, the paramount principle in construing wills being the intention of the testator, to which everything is made subservient. This intention, it is important to remember, should be agreeable to the rules of law and collected out of the words of the will. See Maxims 171, 364 and 371.

178. In traditionibus scriptorum non quod dictum est, sed quod gestum est, inspicitur:—9 Co. 137.

A document under seal may be delivered to a third person, to be delivered by him to the grantee, when the latter has performed certain specified conditions.

Such documents are known as escrows and do not acquire the force of a deed until the conditions precedent have been fulfilled and delivery thereupon made to the grantee. The gist of the above maxim is that no words, however binding, will take the place of delivery which may be absolute or conditional. See Maxim 365.

179. In verbis, non verba sed res et ratio quarendæ:
Jenk. Cent. 132. See Maxim 139.

180. Invito beneficium non datur:—Broom Max.
699.

No one can be compelled to accept a gift against his will.

According to this principle, if a man, being a tenant for life, has a power to lease for twenty-one years for his own benefit, he may renounce a part of the right so given and grant a lease for any number of years short of twenty-one.

So a legatee may refuse a gift, an executor may renounce probate, and a trustee may disclaim his office.

181. Ira furor brevis est:—Beardsley v. Maynard,
4 Wend. 336, 355.

A just provocation is sometimes allowed to palliate an offence, which is done under immediate excitement, where no time for reflection has been afforded. But when ample time has been given for passion to subside and for reason to operate, this maxim no longer affords protection.

182. Judex est lex loquens:—7 Co. 4.

This is but another way of saying that the function of the judge is to declare what the law is—*jus dicere*. See Maxim 214.

- 183.** *Judex non potest esse testis in propria causa:*
4 Inst. 279.

A judge is not a competent witness in a cause being tried before him, because he cannot decide upon the admissibility of his own testimony, nor can he weigh it impartially against that of another. See Maxims 184, 267 and 287.

- 184.** *Judex non potest injuriam sibi datam punire :*
12 Co. 113. See Maxims 183 and 267.

- 185.** *Judex non reddit plus quam quod petens ipse requirit :—*2 Inst. 286.

This maxim finds illustration in a suit in equity where the plaintiff has incorporated in his bill a prayer for special relief only, in such a case the judge will not grant him any relief not asked for in this special prayer, although a general prayer for relief would have entitled him to further remedy than that set forth in the special prayer.

- 186.** *Judices non tenentur exprimere causam sententiæ suæ :—*Jenk. Cent. 75. See Maxim 1.

- 187.** *Judiciis posterioribus fides est adhibenda :—*
13 Co. 14.

This maxim should be considered in connection with *stare decisis* and *res judicata*, for which see Maxims 339 and 357.

- 188.** *Judicis est judicare secundum allegata et probata :—*Dyer, 12, H. 73. See Maxim 182.

- 189.** *Judicium non debet illusorium ; suum effectum habere debet :—*2 Inst. 341.

A judgment, being the conclusion of law, given by

a court upon the facts found, or admitted by the parties, or upon default, should settle unequivocally the matters it purports to conclude.

190. Juramentum est indivisibile et non est admit-
tendum in parte verum et in parte falsum :
4 Inst. 279. See Maxims 193 and 283.

191. Jura naturæ sunt immutabilia :—Jacob, 63.

This is a principle of physics rather than of law, though *lex spectat naturæ ordinem*—the law regards the order of nature. See Maxim 230.

192. Jura publica anteferenda privatis juribus :—
Co. Litt. 130. See Maxims 152 and 346.

193. Jurare est Deum in testem vocare, et est actus
divini cultus :—3 Inst. 165.

Blackstone says belief in a future state of rewards and punishments, entertaining just ideas of the moral attributes of the Supreme Being, and a firm persuasion that He superintends and will finally compensate every action in human life—these are the foundation of all judicial oaths, which call God to witness the truth of those facts which, perhaps, may be known only to Him and the party attesting. See Maxim 292.

194. Jus accrescendi præfertur oneribus :—Co. Litt.
185.

This has reference to, and forms one of, the principal rules affecting joint tenancies, dower and curtesy which may be regarded as *onera*, not applying to joint estates.

This kind of tenancy is now generally abolished and preference given to tenancy in common, unless otherwise directed in devises or deeds.

195. Jus ad rem ; jus in re.

Jus ad rem is a right which belongs to a person only mediately and relatively, and has for its foundation an obligation incurred by a particular person ; such as the loan of a horse, a claim for a thousand dollars for, my right to the horse or the money only exists relatively, and can only be exercised through another. But if I have the ownership of a horse or the right of way over land, this constitutes *jus in re*, for this is a right which belongs absolutely and immediately to me and is good against all the world.

It is obvious from the last example given that possession is not one of the elements constituting *jus in re*, although possession is generally one of the incidents of this right.

196. Jus dicere, non jus dare.

The duty of a judge is to administer or apply the law—*jus dicere* ; not to make the law—*jus dare*, for this duly devolves upon the legislature who are the sole judges of the *expediency* of a law.

197. Jus est norma recti ; et quicquid est contra normam recti est injuria :—3 Buls. 313. See Maxim 136.**198.** Jusjurandum inter alios factum nec nocere nec prodesse debet :—4 Inst. 279. See Maxim 338.**199.** Jus naturale est quod apud omnes homines eandem habet potentiam :—7 Co. 12. See Maxim 205.**200.** Jus scriptum aut non scriptum.

Jus scriptum refers to written or statute law, and *jus*

non scriptum is the law of custom and the common law.

201. *Justitia est duplex ; severe puniens et vere præveniens:—3 Inst. Epil.*

At least it should be the function of justice to punish an offender with a severity commensurate with the gravity of offense, and to use due lenity in prohibiting offenses from being committed.

202. *Justitia firmatur solum:—3 Inst. 140.*

This maxim is applicable to monarchies and republics alike, both of which are strengthened and established by justice.

203. *Justitia nemini neganda est:—Jenk. Cent. 178.*

This maxim is self explanatory, for that which is accorded to some and denied to others is not justice. See Maxims 221 and 223.

204. *Leges posteriores priores contrarias abrogant: 1 Co. 25.*

The power by which laws are made must be supreme, and, if supreme, there can be no limit to its authority. Subsequent laws, therefore, repeal prior law inconsistent therewith, and that whether they be made by a legislative body composed of the same or different persons. Blackstone says that where the common and statute law differ the common law gives place to the statute; and an old statute gives place to a new one.

205. *Legibus sumptis desinentibus legibus naturæ utendum est:—2 Rol. Rep. 98.*

For example, the laws imposed by the State fail whenever the citizen, to protect himself or his property

is compelled to resort to the law of self defense, which is justly termed the first law of nature. See Maxim 199.

206. Lex aliquando sequitur aequitatem:—3 Wils. 119.

The law does not follow equity always because equity supplements the law, giving either relief where the law does not or more perfect relief than the latter.

207. Lex Angliæ est lex misericordiæ:—2 Inst. 315.
This maxim speaks for itself—*res ipsa loquitur*.

208. Lex Angliæ est lex terræ est. See Maxim 209.

209. Lex Angliæ nunquam sine Parlamento mutari non potest:—2 Inst. 218.

This is because Parliament is the supreme legislature of Great Britain, consisting of the queen, king, the lords spiritual and temporal, and the commons. See Maxim 208.

210. Lex citius tolerare vult privatum damnum quam publicum malum:—Co. Litt. 152. See Maxims 152 and 346.

211. Lex Cornelia de sicariis.

This refers to a Roman statute bearing the name of Cornelius, enacted for the punishment of assassins.

212. Lex dabit remedium. See Maxims 162 and 368.

213. Lex dilationes abhorret:—2 Inst. 240.

This is strikingly illustrated by the judgment *quod recuperet*—that the plaintiff recover—given to the lat-

ter on a dilatory plea filed by the defendant, and upon which plea issue in fact is joined resulting in verdict for the plaintiff.

214. *Lex est exercitus judicum tutissimus ductor:*
2 Inst. 526.

Because a judge is a public officer whose function is to declare the law, to administer justice in a court of law, and to conduct the trial of causes between litigants according to legal forms and methods. See Maxim 182.

215. *Lex est sanctio sancta jubens honesta et prohibens contraria:—*2 Inst. 587.

This definition of law—commanding what is right and prohibiting the contrary—is misleading, for laws enjoin and prohibit things for reasons of expediency only, the question of right and wrong not, in many instances, being at all applicable.

216. *Lex intendit vicinum vicini facta scire:—*Co. Litt. 78.

This refers to the old custom of summoning the jury from the locality where the cause of action arose, for formerly the jurors consisted of witnesses, or persons in some measure cognizant of their own knowledge of the matter in dispute.

217. *Lex necessitatis est lex temporis i. e., instantis:—*Hob. 159.

The law of necessity referred to here is not limited to labor for the preservation of life, health, or property from impending danger, for the necessity may grow out of, or be incident to, the general course of trade or even an exigency of a particular trade or business.

Necessity carries with it the idea of prompt action without which any action would often be fruitless. See Maxims 152 and 346.

218. *Lex neminem cogit ad vana seu impossibilia:*
5 Co. 21.

When the condition of an obligation is possible at the time of its making, but, before it can be performed, becomes impossible by act of God, the law, or the obligee, the obligation is saved. But this rule does not apply where a thing is impossible on account of the defendant's personal inability to perform a contract. See Maxims 147, 217 and 219.

219. *Lex nil frustra facit.*

That is the law will not compel one to do an act which would be vain. See Maxims 147, 217 and 218.

220. *Lex non a rege est violanda:—Jenk. Cent. 7.*
See Maxim 343.

221. *Lex non deficere potest in justitia exhibenda:*
Jenk. Cent. 30. See Maxims 203 and 223.

222. *Lex non favet delicatorum votis:—9 Co. 58.*

An action does not lie because of a trifling inconvenience, which would only be regarded as such by the dainty.

223. *Lex non novit patrem, nec matrem; solam veritatem.* See Maxims 203 and 221.

224. *Lex non oritur ex injuria.*

A mere injury when accidental or justifiable will not furnish a basis for invoking the law to the aid of the injured party. See Maxim 90.

225. Lex non requirit verificari quod apparet euriæ:—9 Co. 54.

This maxim refers to the knowledge which a judge will officially take of a fact without proof, such as the general customs and usages of merchants, the seals of notaries, the coincidence of the days of the week with those of the month, and many other things.

The Courts of the United States take judicial notice of the public statutes of the several States. See Maxim 287.

226. Lex plus laudatur quando ratione probatur: Litt. Epil.

In other words, the law is most worthy of approval when it is consistent with reason, and, as Lord Coke says, “The law is unknown to him that knoweth not the reason thereof, and the known certainty of the law is the safety of us all. See Maxims 62, 334 and 367.

227. Lex prospicit non respicit:—Jenk. Cent. 284.

This maxim refers to *ex post facto* laws, which impose a punishment for an act not punishable at the time it was committed; or impose additional punishment to that then prescribed; or change the rules of evidence by which less or different testimony is sufficient to convict than was then required.

228. Lex punit mendacium :—Jenk. Cent. 15. See Maxim 250.

229. Lex rejicit superflua, pugnancia, incongrua :—Jenk. Cent. 133, 140.

This is a rule applied to the interpretation of instruments, which holds what is superfluous is to be disregarded, and also what is contradictory or incongruous. See Maxim 175.

230. *Lex spectat naturæ ordinem* :—Co. Litt. 197.

The law respects the order and course of nature, and will not permit a man to demand that which he cannot recover.

Thus, where the thing sued for by tenants in common is in its nature entire, as in detinue for a chattel, they must of necessity join in the action. See Maxims 147 and 226.

231. *Lex succurrit ignoranti* :—Jenk. Cent. 15. See Maxim 145.

232. *Lex tutissima cassis, sub clypeo legis nemo decipitur.* See Maxims 219, 221, 226, 230 and 231.

233. *Lex uno ore omnes alloquitur* :—2 Inst. 184. See Maxims 203, 221 and 223.

234. *Longa possessio est pacis jus* :—Co. Litt. 73. See Maxim 235.

235. *Longa possessio parit jus possidendi et tollit actionem vero domino* :—Co. Litt. 110.

This refers to the doctrine of adverse possession and the weight of authority is that, where one has had the peaceable, undisturbed, open possession of real or personal property, with an assertion of his ownership, for the period which, under the law, would bar an action for its recovery by the real owner, the former has acquired a good title—a title superior to that of the latter, whose neglect to avail himself of his legal rights has lost him his title. *Campbell v. Holt*, 115 U. S. 623. See Maxim 234.

236. *Magister rerum usus ; magistra rerum experientia* :—Co. Litt. 229. See Maxim 256.

237. *Majus continet minus* :—Jenk. Cent. 208.

If a man tenders more money than he owes, it is a good tender, under this rule, if the money be in specie, so that the creditor can take what is due him.

So the owner of the fee simple in land can grant out any less estate. So a term of years becomes merged in the freehold by the lessee becoming entitled to the fee. A simple contract debt is less worthy than a specialty debt, and a specialty debt is less worthy than a judgment, into which it will merge upon judgment recovered in respect of it.

So the accessory follows its principal, but the accessory cannot lead, nor can it exist without the principal; it is contained within it. A release of the principal is a release of the accessory. See Maxim 3.

238. *Majus est delictum se ipsum occidere quam alium* :—3 Inst. 54.

At common law, suicide was ranked among the highest of crimes and the punishment was forfeiture of goods to the State, and ignominious burial, which punishment could only be avoided by establishing the insanity of the party. But where the rights and interests of other parties are involved the question of insanity is more closely scrutinized; and ample proof is required of the party upon whom the burden of proof lies. In America suicide, avoiding a life insurance policy, does not extend to acts not under the control of the will, as when an insane person kills himself. 54 Me. 224.

239. *Mala grammatica non vitiat chartam* :—6 Co. 39. See Maxims 121, 249 and 280.**240.** *Mala fide.*

Bad faith consists of guilty knowledge or wilful ignorance. The holder of a negotiable note taken

from the payee, with knowledge of the want of consideration between the latter and the maker is said to take *mala fide* and therefore can not recover.

241. Mala prohibita.

Crimes and misdemeanors, such as murder, theft, and perjury, are *mala in se*, and take on an additional turpitude from being declared unlawful by a human legislature; but by far the greater part are *mala prohibita*, and these derive their guilt merely from prohibition by the laws of the land, such as violations of municipal regulations conducing to the health of the community. See Maxim 244.

242. Malitia supplet ætatem:—Dyer, 104 b.

A wicked design supplies the want of years. This maxim does not apply, however, to an infant under seven, who is incapable of crime—*incapax doli*, but between seven and fourteen an infant is *prima facie* incapable of criminal intention, though evidence of mischievous discretion will rebut this presumption.

243. Malo animo.

Any act, to constitute a crime, must be done *malo animo*, but this malice may be expressed or implied. Moreover, malice is not limited to acts done from hatred, revenge or passion, but includes all acts wantonly or wilfully done, that is, acts which any man of reason, knowledge, and ability must know to be contrary to his duty. See Maxim 90.

244. Mala in se. See Maxim 241.

245. Mandamus.

This is the emphatic word in the Latin form of the writ of that name, and is defined by Blackstone to be

a command issuing in the king's name, directed to any person, corporation or inferior court of judicature within the king's dominions, requiring them to do some particular thing therein specified which appertains to their office and duty, and which the court has previously determined or at least supposes to be consonant to right and justice.

It is not designed, however, to review the acts of officers and others when discretion may be exercised, or where action depends upon facts to be determined by them.

246. *Maximus magister erroris populus est:—Bac. Max. See Maxim 66.*

247. *Meliorem conditionem suam facere potest minor deteriolem nequaquam:—Co. Litt. 337 b.*

The seeming disabilities under which an infant labors are really privileges, to secure him from loss by improvident acts. He may, if imposed upon, deny or avoid any contract, not for necessities, after he comes of age. The courts of chancery will see to it, generally, that his condition is not made worse by his own acts of improvidence.

248. *Melior est conditio possidentis, ubi neuter jus habet:—Jenk. Cent. 118. See Maxims 149 and 163.*

249. *Mens testatoris in testamentis spectanda est: Jenk. Cent. 227. See Maxims 121, 239 and 280.*

250. *Mentiri est contra mentem ire:—3 Buls. 260. See Maxim 228.*

251. *Merito beneficium legis amittit, qui legem ipsam subvertere intendit:—2 Inst. 253.*

This maxim finds application in cases of fraud where the party committing it seeks a benefit thereby in the courts.

252. *Minatur innocentibus qui parcit nocentibus: 4 Co. 45. See Maxim 148.*

253. *Minor jurare non potest:—Co. Litt. 172 b.*

According to Littleton this maxim has reference to the swearing on a jury, an infant not being allowed to sit as a juror.

254. *Misera est servitus, ubi lex vaga aut incerta: 4 Inst. 246.*

Obedience to law becomes a hardship when that law is unsettled or doubtful.

This maxim applies with peculiar force to questions respecting real property; as, for instance, to family settlements, by which provision may be made for those yet unborn.

So also, where the question does not affect existing rights or property but tends to influence future transactions, in which case it is generally more important that the rule of law should be settled than that it should be theoretically correct. See Maxims 170, 173 and 339.

255. *Mors dicitur ultimum supplicium:—3 Inst. 212.*

Death is the utmost limit of all things, and capital punishment is now inflicted only where a most heinous crime has been committed, such as treason and murder, while some of the States have abolished it altogether.

256. *Multa exercitatione facilius quam regulis percipies* :—4 Inst. 50. See Maxim 236.

257. *Nam nemo hæres viventis* :—Co. Litt. 8.

There may be an heir *apparent* or *presumptive* prior to the death of the aucestor, but *hæres* is not applicable so long as such ancestor is living. Thus, if lands be given for life with remainder to the heirs of A., and the life-tenant die before A., this remainder is void, for until A. die, there can be no heirs of A.

258. *Naturæ vis maxima est* :—Noy Max. 26. 2 Inst. 564.

For example, natural affection or brotherly love are good causes or considerations to raise a use. So at common law, if there were mother and daughter and the daughter became attainted, she could not be heir to the mother, yet if she killed her mother, she was guilty of matricide and petit treason ; for she remained her daughter by the law of nature.

259. *Necessitas inducit privilegium* :—Bac. Max. 25.

The law excuses the commission of an act *prima facie* criminal, if such act be done involuntarily, and under circumstances which show that the individual doing it was not really a free agent.

Thus, if A. by force take the hand of B., in which there is a weapon, and therewith kill C., A. is guilty of murder, but B. is excused. But if merely a moral force be used, as threats, duress, or even an assault to the peril of his life, in order to compel him to kill C., this is no legal excuse for B. See Maxims 260 and 327.

260. *Necessitas non habet legem* :—Plowd. 18. See Maxims 259 and 327.

- 261.** *Necessitas publica est major quam privata :*
Noy Max. 34.

A private right or necessity must yield to the public good ; as in the exercise of the powers of eminent domain and taxation.

So if a man be violently assaulted, and has no other possible means of escaping death than by killing an innocent person, this fear and force shall not acquit him of murder, for it is held that he ought rather to die himself, than escape by the murder of an innocent man. See Maxims 152, 217 and 346.

- 262.** *Negligentia semper habet infortuniam comitem :—Co. Litt. 246.*

The law recognizes the importance of this maxim by punishing those who have been guilty of negligence ; that is, by failing to do what a reasonable and prudent person would ordinarily have done under the circumstances of the situation, or doing what such a person would not have done.

- 263.** *Nemo admittendus est inhabilitare se ipsum*
Jenk. Cent. 40. See Maxims 276 and 277.

- 264.** *Nemo bis punitur pro eodem delicto :—4 Co.*
43

This is a fundamental maxim of criminal law and means that a man shall not twice be put in peril after a verdict has been returned by the jury. The verdict, however, must be given upon a good indictment, which must be one on which the prisoner could be legally convicted and sentenced.

It does not follow from this where, from any circumstance, the trial has proved abortive, that then the case shall not be again submitted to the consideration of a jury.

It follows that a man being indicted for an offense and acquitted cannot be again indicted for the same offense, and, if so indicted, may plead *autrefois acquit*, even in case of a charge of murder.

265. Nemo cogitur suam rem vendere, etiam justo pretio :—4 Inst. 275.

It is true, as between individuals, that no one can be compelled to part with his property even for a fair price, but not where individual rights clash with the public interests, for in all such cases the maxim, *salus populi est suprema lux*, obtains.

The right of eminent domain, whereby private property is taken for public uses, is in accordance with the maxim just named, but is one that is too frequently arbitrarily exercised by the legislature at the instance of powerful corporations, professedly for the public good. See Maxim 346.

266. Nemo contra factum suum venire potest :—2 Inst. 66.

This is the doctrine of estoppel as applied to matter contained in a valid sealed instrument.

Thus, in the case of a bond reciting a certain fact, the party executing that bond will be precluded from afterwards denying, in an action brought upon that instrument, the fact so recited.

Estoppels do not hold with respect to strangers. See Maxim 269.

267. Nemo debet esse iudex in propria causa :—12 Co. 113.

The rule in this maxim is held to be inflexible, though it is generally indirectly that such a case occurs. Thus, where a judge interested, as shareholder or otherwise,

in some undertaking, having a suit before him, proceeds to hear the cause.

To such a case, although he be not a party to the suit, yet his interest would preclude him from sitting as judge.

Of similar import are Maxims 183 and 184.

268. *Nemo plus juris transferre ad alium potest quam ipse habet* :—Co. Litt. 309.

Thus, an assignor cannot effectually assign more, or give to his assignee any greater right than he himself possesses at the time of assignment, unless it be that he subsequently acquire the right which he did not then possess.

So the owner of a base or determinable fee can do no more than transfer to another his own estate, or some interest of inferior degree created out of it.

This rule finds a notable exception in the case of negotiable paper, for if such be transferred in good faith for value before it is overdue, it becomes available in the hands of the holder notwithstanding fraud, which would have rendered it unavailable in the hands of a previous holder. See Maxims 39 and 314.

269. *Nemo potest contra recordum verificare per patriam* :—2 Inst. 380.

The record referred to here must be that of a competent court of record, the records of which are of such solemnity, that the law will not allow the fact so admitted or established to be afterwards drawn in question between the same parties or their privies. To litigate the fact again would be to impeach the correctness of the former decisions. See Maxim 266.

270. *Nemo potest esse tenens et dominus* :—Gilb. Ten. 142.

On this principle, when a tenant buys the freehold, he ceases to occupy it as *tenens* and holds as *dominus*.

271. *Nemo potest facere per alium, quod per se non potest* :—Jenk. 237. See Maxims 3 and 39.

272. *Nemo potest mutare consilium suum in alterius injuriam.* See Maxims 266 and 269.

273. *Nemo præsumitur immemor suæ æternæ salutis et maxime in articulo mortis* :—6 Co. 76.

This is a maxim of ecclesiastical law, which held that no one was to be presumed to be unmindful of his own eternal welfare, especially in the act of death.

274. *Nemo prohibetur pluribus defensionibus uti* : Co. Litt. 304.

The privilege of employing several matters of defense was guaranteed to the defendant, subject to the leave of the court, by the Statute of 4 Anne. See Maxim 120.

275. *Nemo punitur pro alieno delicto* :—Wing. 336.

It goes without saying that no one should be punished for the crime of another, unless he aided in its commission as principal or accessory, in which case it would become his own.

276. *Nemo se accusare debet, nisi coram Deo.* See Maxims 263 and 277.

277. *Nemo tenetur accusare se ipsum nisi coram Deo* :—Wing. Max. 486.

No one can be compelled to criminate himself, that is, to accuse or confess himself guilty of any crime ;

but if he do so voluntarily the confession is admissible.

It is receivable although obtained by artifice or under promise of some collateral good. The only protected confidant seems to be an attorney. The practice is to inquire of the witness whether the prisoner had been told, in effect, that it would be better for him to confess, or worse for him if he did not confess.

Experience has shown that if this rule did not exist, many persons would be found willing, for reward or favor, to accuse themselves of crimes, which they had not committed. See Maxims 263 and 276.

278. *Nemo tenetur armare adversarium contra se :*
Wing. Max. 665.

The law does not require that one litigant place in possession of his adversary information that may be used to his own detriment.

279. *Nihil quod inconueniens est licitum :—Co.*
Litt. 97.

This maxim should be received with some qualification, and is understood to mean that, against the introduction or establishing of a particular rule or precedent, inconvenience is a forcible argument. The maxim also finds application in the principle, that the law will sooner suffer a private mischief than a public inconvenience, for it is better to suffer a mischief that is peculiar to one, than an inconvenience that may prejudice many. See Maxim 346.

280. *Nil facit error nominis, cum de corpore constat :—11 Co. 21.*

Thus where an estate is devised to a person whose surname or Christian name is mistaken, or whose de-

scription is imperfect or, inaccurate, parol evidence is admissible to show what estate was intended to pass, provided there is sufficient indication of intention appearing on the face of the will to justify the admission of the evidence. See Maxims 121, 239 and 249.

281. Non decipitur qui scit se decipi :—5 Co. 60.
See Maxims 71 and 382.

282. Non definitur in jure quid sit conatus :—6 Co. 42.

Generally speaking, it may be said that to constitute an attempt there must be a combination of intent and act—an intent to commit a crime and an act done in pursuance thereof, which falls short of the thing intended.

An *attempt* conveys the idea of physical effort to do an act, while *intent* expresses the quality of the mind with which the act is done.

283. Non est arctius vinculum inter homines quam jusjurandum :—Jenk. Cent. 126.

This cannot apply to persons who do not believe in God, or, if they do, do not think he will either reward or punish them in this world or in the next, because upon such an oath there cannot possibly be any tie or obligation. Probably a cross-examination, under all circumstances, tends more to elicit truth than an oath. See Maxims 190 and 293.

284. Non est informatus.

A judgment by default, when the defendant's attorney declares he has no instruction to say anything by way of answer or defense.

285. Non facias malum ut inde veniat bonum :—11 Co. 74. See Maxim 159.

286. Non jus, sed seisinā, facit stipitem :—Fleta, 6, c. 14.

Seizin in the common law signifies possession; and *primier seizin* is the first possession.

A seizin in deed is where an actual possession is taken; seizin in law is where lands descend and entry has not been made upon them.

Seizin in law exists where the rightful owner has been disseized.

Formerly the law, as above indicated, was understood in all its strictness and no person could be ancestor, unless he had actual seizin of the lands, by himself or some one on his behalf holding under him, or unless there was some other equivalent to such actual seizin, this actual seizin being distinguished from a mere right of entry.

From above it follows that *seisinā facit stipitem*.

By statute such actual seizin is no longer required. Whar. Max. 57.

287. Non refert quid notum sit judici si notum non sit in forma judicii :—3 Buls. 115.

A judge cannot act upon information obtained outside of court unless it be such matter as would properly come under his *judicial notice*.

He must rely upon other witnesses or upon other sources of information, otherwise he would be passing upon the admissibility and weight of his own testimony. See Maxims 183 and 225.

288. Nullus commodum capere potest ex sua injuria propria :—Co. Litt. 148.

Thus, where a man binds another to the performance of some particular act, and at the same time does something whereby the performance of such act is prevented; as where A. contracts with B. to build a house within a certain time, under a penalty, B. finding materials, and B., by delay in providing the materials, prevents the due completion of the house, he shall not in such case be allowed to enforce the penalty.

So an obligee of a bond, having prevented the obligor from fulfilling the condition of the bond, shall not take advantage of the non-performance of the condition, else he would profit by his own wrong. See Maxim 159.

289. Nullus recedat e curia cancellaria sine remedio:
4 H. 7, 4. See Maxims 203, 221 and 223.

290. Omne sacramentum debet esse de certa scientia:—4 Inst. 279. See Maxims 190, 193 and 283.

291. Omnia delicta in aperto leviora sunt:—8 Co. 127.

This maxim finds illustration in the common law definition of burglary, to constitute which offense, there had to be a breaking in the *night time*. This definition, however, has been so far modified as to include crimes committed by day as well as by night.

292. Omnia præsumuntur contra spoliatores:—
Branch. Max. 80.

A boy found a jewel set in a socket and took it to a goldsmith's to know its value. The apprentice, to whom he gave it to weigh took out the stone and offered the boy three half pence for it, which the boy refused and insisted upon having the jewel back.

Failing in this demand, he brought an action against the master for conversion of the jewel. It was held that the boy was entitled to the jewel, and the jury were instructed that unless the defendant produced it, they should presume the strongest against him, and make the value of the best jewel the measure of their damages. *Armory v. Delamirie Smith*, Leading Cases, 396.

293. Omnis innovatio plus perturbat quam utilitate prodest:—2 Buls..338.

It has been a matter of common observation that whenever a standing rule of the law has been broken down, although the reason of the rule is not apparent, that its wisdom has in the end appeared from the inconveniences that have followed the innovation.

It is an established rule to abide by precedents, *stare decisis*, where the same points come up again in litigation, for it should not be within the power of any judge to alter a permanent rule of the law, he being sworn to determine, not according to his private judgment, but according to the known laws and customs of the land; not delegated to pronounce a new law, but to maintain and expound the old one—*jus dicere et non jus dare*. *Ellis v. Smith*, 2 Ves. Jun. 16. See Maxim 357.

294. Onus probandi.

Burden of proof is properly applied only to a party affirming some fact essential to the support of his case. In this sense it never shifts from side to side during the trial. Loosely used, it is confounded with the *weight of evidence*, which often shifts as facts and presumptions appear and are overcome.

In criminal cases also the burden of proof never shifts, but is upon the government throughout.

295. *Optima legum interpres est consuetudo:—*
Plow. Com. 336. See Maxims 72, 78 and 296.

296. *Optimus interpres rerum est usus:—*2 Inst.
282.

The office of a custom is to interpret the otherwise indeterminate intentions of parties, and to ascertain the nature and extent of their contracts.

A custom may also be admitted to ascertain the true meaning of particular words in an instrument, when they have various meanings, some common, some qualified and some technical, according to the subject matter to which they are applied. An express contract is always admissible to supersede, vary, or control a usage or custom, but such a contract cannot be controlled, varied, or contradicted by a usage or custom. 2 Sumner (U. S.) R. 567. See Maxims 72, 78 and 295.

297. *Pacta privata juri publico non derogare potest:—*7 Co. 23.

If the thing stipulated for is contrary to law, the agreement must be held as intrinsically null.

Not only is the consent or private agreement of individuals ineffectual in rendering valid any direct contravention of the law, but it will fail altogether to make effectual that which is unjust or deficient in respect to any matter which the law declares to be indispensable and not circumstantial merely.

Therefore, an agreement by a married woman, that she will not avail herself of coverture as a ground of defense would not be valid in support of the plaintiff's claim and by way of answer to a plea of coverture. See Maxims 77 and 78.

298. Partus sequitur ventrem :—2 Bl. Com.

This is the law in the case of slaves and animals, but with regard to freemen children follow the condition of the father. 1 Bouv. Inst. n. 167, 502.

299. Pater est quem nuptiæ demonstrant :—Co. Litt. 123.

This was a rule of the civil and canon law, by which the subsequent marriage between the father and the mother was held to make the son before marriage legitimate. The maxim *haeres legitimus est quem nuptiæ demonstrant* was framed in England for the direct purpose of excluding, in the descent of that country, the application of the rule under consideration, though both in England and in this country a child, born at any time during coverture, or within a competent time after the death of the husband, is legitimate. See Maxim 142.

300. Peccata contra naturam sunt gravissima :—3 Inst. 20.

Blackstone says the *crime against nature* could be committed with man or beast, the punishment for which at common law was burning to death. Even in the indictments it was referred to as *peccatum illud horribile, inter christianos non nominandum*—that heinous crime, not to be mentioned among Christians.

301. Pendente lite nihil innovetur :—Co. Litt. 344.

The doctrine of *lis pendens* is that realty, or, to some extent, personalty, when put in litigation by a suit in equity, will, if the suit is prosecuted with reasonable diligence, be bound by the final decree, notwithstanding any intermediate alienation.

The doctrine is based upon public policy rather than upon notice. *Gardner v. Peckham*, 13 R. I. 103-104.

302. Per minas :—1 Bl. Com. 131.

When a man is compelled to enter into a contract by threats or menaces, either for fear of loss of life or mayhem, he may avoid it afterwards.

303. Plene administravit :—6 Term, 10.

A plea in bar entered by an executor or administrator, by which he affirms that he had not in his possession at the time of the commencement of the suit, nor has had any time since, any goods of the deceased to be administered; when the plaintiff replies that the defendant had goods, etc., in his possession at that time, and the parties join issue, the burden of proof will be on the plaintiff.

**304. Plus valet unus oculatus quam auriti decem:
4 Inst. 279.**

This is the rule against the admission of hearsay, which evidence does not derive its value solely from the credit to be given the witness himself, but rests also, in part, on the veracity of some other person, who was not under the sanction of an oath when making the statement, and whose testimony was not subjected to cross-examination.

**305. Pœna tolli potest, culpa perennis erit :—
Houghtaling v. Kelderhouse, 1 Park. Cr.
241, 242.**

This maxim refers to the restoration of the competency of a witness by pardon. In England it was held, by the authority of the statute of 5 Elizabeth, that where a party had been convicted of perjury, his testimony should not be received, even though he had been pardoned by the King. This rule has been adopted by statute in New York, but such incapacity to testify

is the result of a rule of evidence and not a punishment of the offense. In treason nothing short of a reversal of judgment would restore competency.

306. *Ponderantur testes non numerantur*:—*Bake-man v. Rose*, 14 Wend. 105, 109.

The credibility of witnesses depends not so much upon their number as upon their character, their connection with the parties, their manner of testifying, and other circumstances of which the jury are the proper judges.

307. *Pro bono publico*. For the public good.

308. *Propter odium delicti*. In treason, for instance, all are principals on account of the heinousness of the offense.

309. *Quando jus domini regis et subditi concurrunt, jus regis præferri debet*:—9 Co. 129.

This prerogative is said to depend upon the principle that no laches can be imputed to the King, who is supposed to be so engrossed by public business as not to be able to take care of every private matter relating to the revenue; and that the King is in reality to be understood as the nation at large, to whose interest that of any private individual ought to give way.

Thus as to ordinary persons, the writ of *fieri facias* first delivered to the sheriff shall be executed without regard to the teste; but as between the King and a subject, the King's writ, though delivered last, shall be executed first, without regard to the teste, property in the goods not being changed by the seizure of the goods under the first writ on behalf of the subject. Whar. Max. 70.

310. Quicquid plantatur solo, solo cedit:—Went.
Off. of Exec. 58.

This maxim may be said to apply in its strict sense to all those cases where buildings are erected upon land, or fixtures affixed to buildings, by a man upon his own land or by one man upon the land of another. In which cases, in the absence of any express or implied agreement to the contrary, the buildings and fixtures belong to the owner of the soil.

Trade fixtures are now excepted from the operation of this rule. Whar. Max. 73.

311. Qui facit per alium, facit per se:—Co. Litt.
258.

This maxim has reference to the law of principal and agent, and under it a principal is responsible for the acts of his agent; as, where B. employs A. to buy goods for him, B. is liable in an action for the amount.

If a servant do what the master ought to do, it is the same as though the master did it himself, or if a servant do anything without the consent of the master, it may be ratified by the latter.

This maxim applies to everything done by the agent in the scope of his authority, whether the agent be engaged in purchase or sale.

It does not apply to the acts of the agent of an agent. Whar. Max. 75. See Maxims 96 and 340.

312. Qui hæret in litera, hæret in cortice:—Co.
Litt. 289.

A liberal translation would be, He who considers the letter only of an instrument cannot comprehend its meaning.

That which is contrary to reason is contrary to law, the meaning of the maxim being that to understand the

letter of the law the reason of it must be known. So the construction of deeds must be agreeable to common understanding; and where the intention is clear too much stress must not be laid upon the precise signification of words.

A lessee who covenants to leave all the timber which was growing on the land when he took it, breaks the covenant if, at the end of the term, he cuts it down but leaves it there. Whar. Max. 76. See Maxims 121, 239, 249, 280.

313. Qui in utero est, pro jam nato habetur, quoties de ejus commodo quaeritur:—2 Bla. Com.

A child in the womb is considered as actually born when its rights of property or otherwise are inquired into.

314. Qui non habet, ille non dat:—Jackson *v.* Bradford, 4 Wend. 619, 623. See Maxims 39, 92 and 268.

315. Qui non habet potestatem alienandi, habet necessitatem retinendi:—Hob. 336. See Maxims 39, 268 and 314.

316. Qui non improbat, approbat:—3 Inst. 27. See Maxims 71 and 317.

317. Qui non obstat quod obstare potest facere videtur:—2 Inst. 146. See Maxims 71 and 316.

318. Qui non prohibet cum prohibere possit, in culpa est:—2 Inst. 305. See Maxims 71, 316 and 317.

319. Qui peccat ebrius, luat sobrius:—Carey's Rep. 133.

The immunity from punishment, which, through motives of humanity and justice, is allowed by law to persons mentally affected, is not extended to him who commits a felony, or other offense, whilst in a state of drunkenness; he shall not be excused, because his incapacity arose from his own default, but is answerable equally as if he had been in the full possession of his faculties.

Yet proof of the fact of drunkenness may be very material, as tending to show the *intention* with which the particular act charged as an offense was committed, and whether the act done was accidental or designed. Broom Max. 17.

320. Qui potest et debet vetare et non vetat jubet :
Wendell v. Van Rensselaer, 1 Johns. Ch.
344. See Maxims 71 and 316.

321. Qui prior est tempore potior est juri :—Co.
Litt. 14.

This maxim applies to the first occupant of land, to the heir who takes by descent and to an inventor.

The law of descent whereby the eldest male, at common law, of equal degrees of consanguinity, as being first in time and more worthy, are preferred to the younger, is regulated by this maxim.

So, where there are two writs of *fieri facias* delivered to the sheriff, the one first delivered must first be satisfied.

Also the finder of a chattel acquires a right thereto against all but the true owner. Whar. Max. 174. See Maxims 149, 163, 248 and 331.

322. Qui sentit commodum, debet et sentire onus :
et e contra :—1 Co. 99.

The liability of a railroad company to provide sufficient accommodation for passengers and goods in traffic, and to indemnify against loss or damage by negligence, in return for the exclusive right of way, comes within the meaning of this rule. Also where the public are not directly concerned, as in rights and liabilities arising out of the relation of lessor and lessee, husband and wife, principal and agent. Thus a devise subject to the payment thereon of a certain sum, carries with it an obligation to make the payment, and the thing devised stands charged with the sum payable, and cannot be accepted otherwise. See Maxim 366.

323. *Qui tacet consentire videtur*:—Jenk. Cent.

32. See Maxims 71, 134, 143 and 317.

324. *Quod ab initio non valet, in tractu temporis non convalescit*:—4 Co. 2.

When the consideration for a deed is illegal, no lapse of time can cure the defect. In nullities in pleadings also, and in transactions founded upon fraud, it may be stated generally that lapse of time will not avail to cure the defect. The will of an infant is void and is not rendered available when the infant attains full age, unless there be a new execution. Yet in the Roman Law, if a husband sold his wife's dowry, the sale was invalid, still, if at her death, the land became his, the sale was established. D. 41, 3, 42. Whar. Max. 81. See Maxim 329.

325. *Quod constat curiæ opere testium non indiget*:—2 Inst. 662.

This maxim refers the knowledge which a judge will officially take of a fact without proof, such as the existence and titles of foreign powers, the ordinary pub-

lic fasts and holidays, the coincidence of the days of the week with those of the month, etc. The courts of the United States take judicial notice of the public statutes of the several States. See Maxim 287.

326. Quod necessarie intelligitur, id non deest:
1 Buls. 71.

This maxim finds illustration in the interpretation of instruments, such as wills, deeds and contracts.

A custom, for instance, when parties contract with reference thereto, need not be expressed, for it is necessarily understood—*necessarie intelligitur*, and parol evidence may be introduced to show what the custom is.

327. Quod necessitas cogit, defendit:—H. H. P.
C. 54. See Maxims 259 and 260.

328. Quod non apparet, non est:—Jenk. Cent. 207.

In reading an affidavit, the court will look solely at the facts deposed to, and will not presume the existence of additional facts in order to support the allegations contained in it. See Maxim 98.

329. Quod non habet principium non habet finem:
Wing. Max. 79.

Where a living, for instance, becomes vacant by resignation or canonical deprivation, the common law requires the bishop to give notice thereof to the patron, otherwise the former can take no advantage by lapse. See Maxim 324.

330. Quod per me non possum, nec per alium:—4
Co. 24. See Maxim 311.

331. Quod prius est verius; et quod prius est tempore potius est jure:—Co. Litt. 347. See Maxims 149, 163, 248, 321.

332. Quod vanum et inutile est, lex non requirit:
Co Litt. 146. See Maxim 218.

333. Quoties in verbis nulla ambiguitas, ibi nulla
exposito contra verba expressa fienda est:
Co. Litt. 147.

If an instrument be plain upon the face of it, and complete in meaning, no evidence will be admitted to give any other construction to it than that which is so plainly expressed, even though it be contended that the plain meaning so expressed upon the face of the instrument does not carry out the intention of the parties. Therefore, in all cases where a written instrument appears on the face of it to be complete, parol evidence will not be admitted to vary or contradict it. The rule as to patent ambiguity applies to the maxim under consideration; as, in a will, if there be a blank for the devisee's name, parol evidence will not be admitted to supply this defect.

334. Ratio est legis anima, mutata legis ratione
mutatur et lex:—Jenk. Cent. 45. See Max-
ims 61, 62, 226 and 367.

335. Reprobata pecunia liberat solventem:—9 Co.
79.

A tender of money, to release the debtor, must be made by a person authorized by the debtor, and to the creditor or some one authorized to receive it. This maxim is further subject to the qualification that the exact sum must be tendered and at the time agreed upon, or, in other words, in compliance with the terms of the contract. Bouv. Law. Dict. 714.

336. Res gestæ.

The circumstances, facts, and declarations which

grow out of the main fact, are contemporaneous with it, and serve to illustrate its character.

Under the *res gestæ* may be included facts which so illustrate and characterize the principal fact as to constitute one transaction.

It is impossible to lay down a rule as to what is part of the *res gestæ*, which will be decisive of the question in every case in which it may be presented by the unvarying phases of human life.

On an indictment for rape, what the girl said so recently after the fact as to exclude the possibility of practising on her, has been held to be admissible evidence as a part of the *res gestæ*.

337. Res integra.

A term applied to those points of law which have not been decided, and which are untouched by dictum or decision.

338. Res inter alios acta alteri nocere non debet:— Co. Litt. 132.

Every fact not admitted must be proved upon oath, either on the trial of the issue, or some other issue involving the same question between the same parties. Where other evidence is adduced, it is *res inter alios acta*, and this maxim applies; unless it be of that nature which necessity admits; as documents of a public nature, or declarations of persons deceased, or against interest, etc.

A simple illustration is that of a judgment recovered in one court, which may be successfully pleaded in bar in an action between the same parties for the same thing in another court of concurrent jurisdiction. But it is otherwise where the record of a conviction in a criminal suit is offered as evidence of the same fact in

controversy in a civil suit, for the parties are not the same, the state being a party in the criminal suit. So one would not be bound by the declarations of a stranger.

The reason of this maxim is that it would be unjust to bind a person by proceedings to which he was not a party, to which he had no opportunity of making a defense, and from which he could not appeal. Whar. Max. 84. See Maxim 198.

339. *Res judicata accipitur pro veritate*:—Co. Litt. 103.

By *res judicata* we mean a legal or equitable issue that has been decided by a court of competent jurisdiction, and it is a general principle that such decision is binding and conclusive upon all other courts of concurrent power.

This is a rule of universal law. But in order to make a matter *res judicata* four conditions must concur, namely: identity in the thing sued for, identity of the cause of action, identity of persons and of parties to the action, and identity of the quality of the persons for or against whom the claim is made. Bonv. Law. Dict. See Maxims 170 and 187.

340. *Respondeat superior*:—4 Inst. 114.

The application of this rule arises chiefly out of the relation existing between the parties in the cases of principal and agent, master and servant.

Thus where a servant commits a trespass by the command of the master, the servant himself is directly liable, and the master also under this rule of *respondeat superior*.

This rule also applies to fraud on the part of the servant acting apparently within the scope of his author-

ity, but it does not apply to wilfully tortious acts, as act of purposed injury not falling within the scope of such authority. Whar. Max. 85. See Maxims 96, 311.

341. *Rex est major singulis, minor universis:—*
Brac. lib. 1, C. 8.

When the rights of the King and individuals conflict, those of the latter must give way, but if the rights or the claims of the King come in contact with the rights of all the people, he must either yield or revolution will result. See Maxim 309.

342. *Rex non debet judicare sed secundum legem:—*
Jenk. Cent. 9. See Maxims 343 and 345.

343. *Rex non potest peccare:—*2 Roll. R. 304.

This maxim does not imply that the king cannot, as a man, do wrong, but that, in his kingly capacity, wrong is not to be imputed to him. As an individual, the king is protected from ordinary common law proceedings by a subject by suit or action for injury of a private nature not in respect to a claim to property.

The king is not under the dominion of man, but of God and the law, and it is not to be presumed that he will do or sanction anything contrary to law, to which he is equally amenable with his subjects. But if an evil act be done, though emanating from the king personally, it will be imputed to his ministers, and the king is in no way responsible for their acts, whether they be his immediate advisers or any one acting in authority under him or them. Upon this principle, the crown cannot be prejudiced by the wrongful acts of its servants nor by errors in letters patent, etc. Whar. Max. 86. See Maxim 345.

344. *Rex nunquam moritur:—*Bract. Max. 197,
5 ed.

The principle contained in this maxim of our Constitution is founded upon motives of expediency, and to avoid dissension in troublesome times, the descent of the crown being once fixed. The law ascribes to the sovereign in his political capacity perpetuity. The *demise* of the king means only that there has been a disunion of the king's natural body from his body politic, the kingdom being transferred to his successor, thus preserving the perpetual character of the royal dignity.

In accordance with this maxim, a grant of lands made to the king without the words *heirs* or *successors* will pass a fee-simple. As the king commences his reign from the day of the death of the ancestor, it has been held that compassing his death before coronation, is compassing the king's death. Whar. Max. 87. See Maxim 151.

345. Rex quod injustum est facere non potest:
Jenk. Cent. 9. See Maxim 343.

346. Salus populi est suprema lex:—13 Co. 139.

In all cases of necessity the interests of an individual must give way to the interests of a multitude, the principle extending to private as well as to public interests. It is upon this principle that private individuals are bound to perform certain public duties when called upon; as to prevent a breach of the peace, serve as jurors, soldiers, sailors, pay taxes, etc. So public officers, acting in the proper discharge of their duty are not liable for injury to private individuals.

Those who are called upon to make individual sacrifice for the public good know that they receive a corresponding benefit in the protection afforded them in their person and property by the laws of the country,

and in other privileges thereby accorded. Whar. Max. 90. See Maxims 152, 217 and 261.

347. *Scienter*.

This is the allegation of knowledge on the part of a defendant or person accused, which is necessary to charge upon him the consequence of the crime or tort. A man may pass a counterfeit coin, when he is ignorant of its being counterfeit, and is guilty of no offense; but if he knew the coin to be counterfeit, which is called the *scienter*, he is guilty of passing counterfeit money. Bonv. Law. Dic.

348. *Scire facias*.

A writ for a defendant to appear in court on a day named to show cause why the plaintiff should not have advantage out of a matter of public record. For example, its purposes may be to revive a judgment, which from lapse of time will soon be presumed to have been released as satisfied. The writ commands the defendant to show cause (1) why the judgment should not be revived, or (2) why execution should not issue. *Scire facias* is also used by the government as a mode to ascertain and enforce the forfeiture of a corporate charter, where there is a legal existing body, but who have abused their power. Bouv. Law. Dict.

349. *Scribere est agere*:—2 Rol. Rep. 89.

A deed in writing is, at the present time, sufficient to effect the transfer of property, without any actual livery of seisin.

350. *Semper præsumitur pro legitimatione puerorum*:—Co Litt. 126.

Because the negative of this proposition involves

guilt which the law does not presume. Besides, knowledge of paternity, or filiation would be extremely difficult to arrive at in case where one is not the lawful husband. See Maxims 129 and 351.

351. *Semper pro matrimonio præsumitur.* See Maxims 129 and 350.

352. *Senatus populusque Romanus.*

These words, in an abbreviated form—S. P. Q. R.—appeared on Roman coins and on the standards of the legions.

353. *Sententia interlocutaria revocari potest, definitiva non potest:—Bac. Max.*

A final decree or judgment does not become such, until the term has passed in which it was rendered, after which time it cannot be revoked.

An interlocutory decree or judgment, however, may be revoked any time before it is made final and up to that time is said to be *in gremio curiæ*—in the breast of the court.

354. *Servitia personalia sequuntur personam:—2 Inst. 374.*

Personal services follow the person.

355. *Sic utere tuo ut alienum non lædas:—9 Co. 59.*

The principle of this maxim applies to the public, and to public rights, and in such a manner as that when any such right is violated whereby damages is sustained, a right of action arises. Thus, the lessee and occupier of refreshment rooms at a railway station, and of a cellar underneath, whose servant a coal dealer, in putting coal into the cellar, left open a trap door in the

platform of the station, through which a passenger fell and was injured, was held liable in damages for the injury sustained by such passenger. Whar. Max. 90. See Maxims 15 and 172.

356. Simplex commendatio non obligat.

This refers to a simple commendation of goods by a vendor, not amounting to warranty.

357. Stare decisis.

This is the great doctrine of precedents and is to be distinguished from *res judicata*, which is more limited in its application. When once a point of law is firmly settled by a decision, that decision rules like cases subsequently arising.

When there has been a series of decisions by the highest tribunal, the rule *stare decisis* is regarded as impregnable—except by legislative enactment. Harrow v. Meyers, 29 Ind. 470. See Maxim 293.

358. Sublata causa, tollitur effectus:—2 Bl. Com. 203. See Maxim 334.

359. Sublato fundamento, cadit opus:—Jenk. Cent. 106. See Maxims 334 and 358.

360. Subsequens matrimonium tollit peccatum præcedens:—Reg. Jur. Civ.

According to the civil law, a child born out of lawful wedlock was made legitimate by the subsequent marriage of the parents. This rule, however, was not adopted at common law, which even after such a marriage regarded the child a bastard.

361. Summa ratio est quæ pro religione facit:—Co. Litt. 341.

The laws of all nations are supposed to be founded upon this maxim, the only question being what is religion, and the difference of opinion upon this question is owing to the difference in customs, habits, and laws of the universe. The laws of all countries are supposed to be consistent with their respective religions. By reason of this rule the law gives the church many privileges, in order to favor religion, such as the exemption of church property from taxation. Whar. Max. 91.

362. *Suppressio veri expressio falsi* :—Addington v. Allen, 11 Wend. 374, 417.

This maxim refers to the suppression of material facts, which a party is bound to disclose, such facts contradicting or qualifying those that are expressed. See Maxim 134.

363. *Terra firma*. Solid land.

364. *Testamenta latissimam interpretationem habere debent* :—Jenk. Cent. 81. See Maxims 171, 177 and 371.

365. *Traditio loqui chartam facit* :—5 Co. 1. See Maxim 178.

366. *Transit terra cum onere* :—Van Rensselaer v. Bonesteel, 24 Barb. 365, 368.

An application of this maxim is to be found in covenants running with the land, which pass with the land, and on which the assignee of the lessee, or the heir or devisee of the covenantor, is in many cases liable. This maxim also holds with reference to customs that are annexed to the land and that pass therewith. See Maxims 3 and 322.

367. Ubi eadem ratio ibi idem lex, et de similibus idem est judicium:—Co. Litt. 191.

For the first part of this maxim it may be said that law is founded upon reason, and is the perfection thereof, and that what is contrary to reason is contrary to law; and for the second, that where no established precedent can be found exactly in point, whereupon to ground a decision, the case in question may be properly decided by reference to similar cases. Whar. Max. 92. See Maxims 226 and 334.

368. Ubi jus remedium est:—Co. Litt. 197.

This maxim was in former times more looked to as a guide than at present, for the remedies provided by law were not so numerous, nor so well understood or applied in redressing grievances. The remedy here referred to more particularly applies to those cases where the common law gives a right, or prohibits a wrong; and, generally, whether or not any actual damage has arisen from violation of the right. It must be borne in mind that the right here alluded to is one in contemplation of law and not what any one might call a right. Whar. Max. 93. See Maxims 162 and 212.

369. Ubi non est principalis, non potest esse accessorius:—4 Co. 43. See Maxim 3.

370. Ubi nullum matrimonium, ibi nulla dos est:

Mere concubinage does not constitute marriage, and, as an essential element of dower is a *lawful* marriage, dower would not attach without it. A dissolution of marriage also will defeat dower.

371. *Ultima voluntas testatoris est perimplenda secundum veram intentionem suam.*—Co. Litt. 322. See Maxims 171, 177 and 364.

372. *Utile per inutile non vitiatur.*—Dyer, 292.

This rule is chiefly applicable to what is called surplusage, or the introduction of useless and unnecessary words in deeds, contracts, pleadings, etc., which words, under this rule, will be rejected rather than be allowed to vitiate, or render useless, the instrument in which they are introduced.

Deeds and other writings, good in part and bad in part, whether through defect in the consideration, the drawing of the instrument, or otherwise, come within this rule. See Maxims 97, 121 and 249.

373. *Ut pœna ad paucos, metus ad omnes perveniat.*—4 Inst. 6.

One of the purposes of the law is to operate as a deterrent force, without which many more offenses would be committed. See Maxim 148.

374. *Verba chartarum fortius accipiuntur contra proferentem.*—Co. Litt. 36.

This maxim is subject to the rule, that an instrument must be construed according to the intention of the parties gathered from the whole instrument, and the maxim applies only where there is an ambiguity, requiring explanation, in the language of the instruments; and where the construction will not work to the injury of third parties. Thus, where an estate is granted to a man for life, without saying for whose life, it shall be taken to be for the life of the grantee, an estate for a man's own life being considered greater than an estate for the life of another. Whar. Max. 95.

375. Verba debent intelligi cum effectu:—*Rickets v. Livingston*, 2 Johns. Cas. 97, 101.

This is a general principle, which governs the construction of all agreements, oral or written, and of all unilateral instruments, like deeds or wills, which are designed to embody the intention of a party. 21 Wend. 652. See Maxim 175.

376. Verba intentioni, non e contra, debent inseruire:—8 Co. 94. See Maxims 239, 249 and 280.

377. Via antiqua est tuta:—*Manning v. Manning*, 1 Johns, ch. 527, 530.

This maxim should be considered in connection with *cursus curiæ est lex curiæ*.

Any informal proceeding, or one not done within the time set for it, or in the manner prescribed by the practice of the court, may be set aside for irregularity.

Courts of law will not sanction a speculative novelty without the warrant of any principle, precedent or authority. See Maxims 88 and 293.

378. Vi et armis.

This is the phrase used to denote an action of trespass accompanied with force. It is brought to recover damages which result immediately from the injury to the person or to personal property.

379. Vigilantibus et non dormientibus jura subveniunt:—Wing. 692.

In all actions, suits, and other proceedings at law and in equity, the diligent and careful actor is favored to the prejudice of him who is careless.

The statutes of limitations, whether as respects real

or personal property, persons, or things, are made in furtherance of the principle of this maxim. So the law may deny relief to one who has long and negligently delayed to file a bill for specific performance. 5 Ves. 720 ; 26 Wend. 238, 247.

380. Vir et uxor in lege putantur una persona:
Jenk. Cent. 27.

This was a fiction of the common law, the husband and the wife by marriage becoming one legal person. The woman by marriage lost all legal identity and was considered *civiliter mortuus*.

To illustrate, they could not contract together or wrong each other civilly, or sue each other. They could not testify for or against each other except where one had inflicted personal injury upon the other. The rigidity of this rule has been greatly modified by legislation. It was unknown to the civil law.

381. Visitationem commendamus.

Visitation is the act of examining into the affairs of a corporation. This power was applicable only to ecclesiastical and eleemosynary corporations at common law. The visitation of civil corporations is by the government through the medium of the courts. In the United States the legislature is the visitor of all corporations founded by it for public purposes. Bouv. Law Dict.

382. Volenti non fit injuria:—Wing. Max. 482.

This maxim applies principally to those cases where a man suffers an injury for which he has a claim for compensation, but which claim he is considered as waiving by acquiescing in, or not objecting to, the injury committed; as, when a man connives at or con-

does the adultery of his wife, he cannot in such case obtain damages from the seducer, nor sustain a petition for divorce. So where a man has jointly contributed to the injury he has received by his own negligence, so where one voluntarily pays a debt contracted during his infancy, or barred by the statute of limitations, he has no right to the repayment of the money. 3 Johns. Cas. 240. Whar. Max. 99. See Maxims 71 and 281.

383. *Voluntas in delictis non exitus spectatur* :—2 Inst. 57. See Maxim 64.

384. *Voluntas reputabatur pro facto* :—3 Inst. 69.

This is the old maxim with respect to treasonable offenses. To constitute the offense of treason the intent alone was sufficient, for the law was more strict where one compassed or imagined the death of the king. Between subject and subject the intent must be more manifest, and must be accompanied by undeniable overt acts. The intent will be gathered from all the surrounding circumstances. An expressed intention to commit a felony, without any overt act, is not felony; though with an overt act, it would be. Where a servant, having stolen his master's goods, went to his bedside and attempted to cut his throat, and thinking he had done so, left him and fled, he was guilty of felony, for, in crimes, the intent and not the consequence is regarded. Whar. Max. 100. See Maxims 383.

385. *Vox. populi vox Dei est.*

The voice of the people is the voice of God—a principle that is being fast recognized by the nations of the world, but which is given especial emphasis and importance by republics, whose rulers hold their commissions from the people, to whom they are solely responsible.

GENERAL VOCABULARY.

A.

a or ab, prep. w. abl., *from*,
by.

abhórreo, - ére, - ui, — ,
shrink from, be averse
to, abhor.

ábrogó, - áre, - ávi, - átum,
repeal, abrogate.

absolútus, - a, - um, - adj.,
absolute.

abúndans, - ntis, adj.,
abundant, unusual.

ac, conj., *and*.

accessórium, - i, n. *access-*
sory, incident.

accessórius, - a, - um, adj.,
accessory.

áccido, - ere, - cidi, — , *hap-*
pen.

accípío, - ere, - cépi, - cep-

tum, accept.

accrésco, - ere, - évi, - étum,
survive, accrue.

accúso, - áre, - ávi, - átum,
accuse.

áctio, - ónis, f. *action.*

áctor, - óris, m. *plaintiff.*

áctum, - i, n. *act.*

áctus, - us, m. *act.*

ad, prep. with acc., *based*
upon, according to.

adápto, - áre, - ávi, - átum,
suit, adapt.

adhíbeo, - ére, - ui, - itum,
give to.

adimpleo, - ére, - évi, - étum,
fulfill, carry out.

adjournaméntum, - i, n.
adjournment.

admitto, - ere, - mísi, - mís-

sum, admit, receive.

adminístro, - áre, - ávi, -

átum, administer.

adversárium, - i, n. *adver-*
sary.

ædífico, - áre, - ávi, - átum,
build.

æquális, - e, adj., *equal.*

æquitas, - átis, f. *equity.*

æquus, - a, - um, adj., *just.*

æstimátio, - ónis, f. *esti-*
mate, value.

aétas, - átis, f. *age.*

ætérmus, - a, - um, adj., *eter-*
nal.

affirmátio, - ónis, f. *affirm-*
ation.

alienátio, - ónis, f. *aliena-*
tion.

ágo, - ere, - égi, - áctum,
transact.

aliéno, - áre, - ávi, - átum,
alienate.

- aliénus,-a,-um, adj., *another's*.
 aliquándo, adv., *sometimes*.
 álius,-a,-ud, adj., *other*.
 allegans,-ntis, *one alleging*.
 allegátio,-ónis, f. *allegation*.
 allegátum,-i, n. *allegation, averment*.
 állego, -áre, -ávi, -átum, *allege*.
 álloquor, -loqui, -locútus sum, *address, speak to*.
 álter,-era,-erum, adj., *another*.
 áltus,-a,-um, adj., *high*.
 ambigúitas,-átis, f. *ambiguity*.
 amícus,-i, m. *friend*.
 amítto, -ere, -mísi, -misum, *lose*.
 ámplio,-áre, -ávi, -átum, *enlarge*.
 Ánglia,-æ, f. *England*.
 angústus,-a,-um, adj., *narrow, restricted*.
 angústus,-áre, -ávi, -átum, *restrict, limit*.
 ánnus,-i, m. *year*.
 ánte, prep. w. acc., *before*.
 antéfero,-férre,-tuli, -látum, *prefer*.
 antiquus,-a,-um, adj., *ancient, old*.
 apértus,-a,-um, adj., *open*.
 appáreo,-ére, -uí, -ítum, *appear*.
 appóno,-ere,-pósui,-pósitum, *apply*.
 áprobo,-áre,-ávi,-átum, *approve*.
 ápod, prep. w. acc., *among*.
 áqua,-æ, f. *water*.
 arbítrium,-i, n. *award*.
 árbitrer,-trí, m. *judge*.
 árbor,-oris, f. *tree*.
 árcetus,-a,-um, adj., *binding*.
 arguméntum,-i, n. *argument*.
 árma,-órum, n. plur. *arms*.
 armátus,-i, m. *an armed person*.
 ármo,-áre, -ávi, -átum, *arm*.
 artículus,-i, m. *article, moment*.
 asséntio,-ónis, f. *assent, meeting*.
 assignátus,-i, m. *assignee*.
 átque, conj., *and*.
 aúctor,-oris, m. *assignor*.
 auctóritas,-átis, f. *authority*.
 aúdio, -íre, -ívi, -ítum, *hear*.
 aúla,-æ, f. *hall, court*.
 auritus,-i, m. *ear witness*.

B.

- béllum,-i, n. *war*.
 beneficium,-i, n. *benefit, advantage*.

benignus, -a, -um, *adj.*, favorable.

billā, -æ, *f. bill, writ.*

bis, *num. adv.*, twice.

bóna, -órum, *n. plur. goods, property.*

bónus, -a, -um, *adj.*, good.

bónus, -i, *m. bonus.*

brévis, -e, *adj.*, brief, short.

brève, -is, *n. writ.*

C.

cádo, -ere, -céidi, -cásū, *fail.*

cápio, -ere, -cépi, -cáptū, *take, receive.*

cássis, -idis, *f. helmet.*

cásso, - áre, - ávi, - átum, *quash.*

cásus, -us, *m. event.*

catállum, -i, *n. chattel.*

caúsa, -æ, *f. cause, motive.*

caúso, - áre, - ávi, - átum, *cause, move.*

cautéla, -æ, *f. caution.*

cáveo, -ére, -cávi, -caútū, *beware.*

cédo, -ere, -céssi, - céssū, *pass, go.*

célo, -áre, -ávi, -átū, *conceal.*

cérus, -a, -um, *adj.*, certain.

céssō, - áre, - ávi, - átum, *cease.*

chárta, -æ, *f. writing, instrument, deed.*

chártū, -i, *n. deed.*

cíto, *adv.*, quickly.

civiliter, *adv.*, civilly.

clandestínus, -a, -um, *adj.*, secret.

clárus, -a, -um, *adj.*, clear, plain.

claúsula, -æ, *f. clause.*

clypeus, -i, *m. protection.*

coélum, -i, *n. sky.*

cogitátio, -ónis, *f. thought.*

cognósco, - ere, - nóvi, -nitū, *ascertain.*

cógo, - ere, - coégi, - coác-tū, *compel, drive.*

cohábito, -áre, -ávi, -átū, *live or dwell together.*

cómes, -itis, *m. companion.*

commendátio, -ónis, *f. recommendation.*

comméndo, - áre, - ávi, -átū, *commend, recommend.*

commodátū, -i, *n. loan.*

cómmodū, -i, *n. advantage, benefit.*

commúnis, -e, *adj.*, common.

concéssio, -ónis, *f. grant.*

concórdo, - áre, - ávi, -átū, *reconcile.*

concúbitus, -us, *m. cohabitation.*

concúrro, - ere, - cúrri, -cúrsum, *concur.*

condítio, -ónis, *f. condition.*

confirmátio, -ónis, f. *confirmation.*

consciéntia, -æ, f. *conscience.*

consénsus, -us, m. *consent.*

conséntio, - íre, - si, - sénsum, *consent.*

cónsequens, -ntis, adj., *following.*

cónsequor, - i, - se c ú t u s sum, *follow.*

consérvo, -áre, -ávi, -átum, *observe, regard.*

consilium, -i, n. *plan, purpose, advice.*

cónsto, - áre, - stiti, - s t á tum, *appear.*

consuetúdo, -inis, f. *custom.*

cóntra, prep. w. acc., *against.*

contráctus, -us, m. *contract.*

cóntraho, - ere, - t r á x i, - tráctum, *contract, consummate.*

contrárius, -a, -um, adj., *opposite.*

contravénio, - íre, - véni, - vén tum, *thwart, run counter to.*

convalésco, - ere, - válui, —, *gather strength.*

convéntio, -ónis, f. *convention, contract.*

córam, prep. with acc., *in the presence of.*

Cornélius, -a, -um, adj., *of Cornelius.*

córpus, -oris, n. *body; person, gist.*

córtex, -icis, m. and f. *bark.*

crédo, - ere, - didi, - ditum, *believe.*

créscó, - ere, - crévi, - cré tum, *grow, increase.*

crímen, -inis, n. *crime.*

crimínális, -e, adj., *criminal.*

cúlpa, -æ, f. *guilt, crime, fault.*

cúltus, -us, m. *worship.*

cum, prep. w. abl., *with, in company with.*

cum, conj., *when.*

cunctátio, -ónis, f. *delay.*

cúria, -æ, f. *court.*

cúrro, - ere, cucúrri, cúrsum, *run.*

cúrsus, -us, m. *practice.*

custódia, -æ, f. *custody, guard.*

D.

damnificátus, -a, -um, adj. *injured, damaged.*

dámnum, -i, n. *loss, damage.*

de, prep. w. abl., *about, concerning, according to.*

débeo, - ére, - u i, - i t u m, *ought.*

débilis, -e, adj., *weak.*

débitor, -óris, m. *debtor.*

débitum, -i, n. *debt.*

décem, indecl. adj., *ten.*

decído, -ere, -cídi, -císium, *decide.*

decípío, -ere, -cépi, -cép-tum, *deceive, impose upon.*

decísium, -i, n. *decision.*

decrétum, -i, n. *decree.*

deféctus, -us, m. *defect, error.*

deféndo, -ere, -si, -sum, *defend.*

defénsio, -ónis, f. *defence.*

defício, -ere, -féci, -féc-tum, *fail.*

defínio, -ire, -ívi, -ítum, *define.*

definitivus, -a, -um, adj., *final.*

delegátus, -a, -um, adj., *conferred, delegated.*

delicátus, -i, m. *dainty, or facetious person.*

delíctum, -i, n. *offence, crime.*

delínquo, -ere, -líqui, -lítum, *be wanting, offend.*

demonstrátio, -ónis, f. *proof.*

demónstro, -áre, -ávi, -átum, *indicate.*

derivativus, -a, -um, adj., *derived.*

dérogo, -áre, -ávi, -átum, *detract from.*

désino, -ere, -sívi, -situm, *fail.*

désúm, -ésse, -fui, —, *be wanting.*

déus, -i, m. *God.*

díco, -ere, -dixi, -díctum, *say, affirm, assert.*

dictámen, -inís, n., *dictate.*

díes, -éi, m. *day.*

dilátio, -ónis, f. *delay.*

dirimo, -ere, -émi, -émp-tum, *remove, prevent.*

discérno, -ere, -crévi, -crétum, *dispense, ascertain.*

díscó, -ere, -dídici, —, *learn.*

diskrétio, -ónis, f. *discretion.*

dispóno, -ere, -pósui, -pós-ítum, *dispose.*

dispositio, -ónis, f. *disposition.*

divíno, -áre, -ávi, -átum, *prophecy, foretell, forecast.*

divínus, -a, -um, adj., *divine.*

do, -dáre, -dédi, -dátum, *give, furnish.*

dólum, -i, n. *device.*

domínicus, -a, -um, adj., *of the Lord.*

dóminus, -i, m. *lord, master.*

dómus, -i, -[us], f. *house.*

dóno, -áre, -ávi, -átum, *give.*

dónum, -i, n. *gift.*

dórmíens,-ntis, c. *a sleeping or negligent person.*

dórmio, - íre, - ívi, - (ii), - ítum, *sleep.*

dos dótis,- f. *dower.*

dúbíus,-a,-um, adj. *doubtful, ambiguous.*

dúco,-ere,-dúxi,-dúctum *lead.*

dúctor, - óris, m. *leader, guide.*

dum, conj., *while.*

dúo,-ae,-o, num. adj. *two.*

dúplex, - ícis, adj., *two-fold.*

E.

ébrius,-a,-um, adj., *intoxicated.*

ecclésia,-æ, f. *church.*

efféctum,-i, n. *effect.*

efféctus,-us, m. *effect.*

égo, pers. pron., I.

émptor,-óris, m. *buyer.*

éo,-íre,-ívi,-ítum, *go.*

érror, - óris, m. *mistake, error.*

ét, conj., *and, also.*

essentiális,-e, adj., *essential.*

ex, prep. w. abl., *by virtue of, from.*

excéptio,-ónis, f. *exception.*

exclúdo,-ere,-clúsi,-clúsum, *explain, clear up.*

exclúsio,-ónis, f. *exclusion.*

excúso,-áre,-ávi,-átum, *excuse, condone.*

execútio,-ónis, f. *execution.*

exercitátio,-onis, f. *exercise, practice.*

exércitus,-us, m. *army.*

exhíbeo, - ére, - ui, - ítum, *mete out, dispense, give.*

exísto,-ere,-stiti,-stitum, *exist.*

experiéntia,-æ, f. *experience.*

expositio,-ónis, f. *construction.*

éxprimo, - ere, - préssi, - préssum, *express.*

extérior,-óris, comp. adj., *outer, external.*

extérmino, - áre, - ávi, - átum, *destroy.*

extrémus,-a,-um, adj., *dire, extreme, urgent.*

F.

facilis,-e, adj., *easy.*

fácinus,-oris, n. *crime.*

fácio,-ere,féci,fáctum, *do, make.*

fáctum,-i, n. *fact.*

fácultas,-átis, f. *opportunity.*

fállo, fállere, fefélli, fálsum, *destroy, fail.*

fálsus,-a,-um, adj., *false.*

fáteor, - éri, fássus, sum, *confess.*

fáveo,-ére, fávi, faútum,
favor.

fávor,-óris, m. *boon.*

félíx,-icis, adj., *fortunate,*
happy.

felónia,-æ, f. *felony.*

féro, férre, túli, látum,
bear, carry.

festinátio,-ónis, f. *haste.*

fictio,-ónis, f. *fiction.*

fídes,-éi, f. *faith, credit.*

filiátio,-ónis, f. *affiliation,*
copulation.

fílius,-i, m. *son.*

fínis,-is, c. *end.*

fío, fieri, fáctus, sum, to
be made, become.

fírmo, - áre, - ávi, - átum,
strengthen.

fírmos,-a,-um, adj., *firm,*
solid, strong.

fórma,-æ, f. *form.*

fórtis, e, adj., *powerful.*

fortúitus, - a, - um, adj.,
fortuitous.

fórum,-i, n. *forum, court.*

fráctio,-ónis, f. *fraction.*

fraus,-dis, m. *fraud.*

fréquens,-ntis, adj., *fre-*
quent.

frúctus,-us, m. *fruit.*

frústra, adv., *in vain.*

fúgio,-ere, fúgi, fúgitum,
fly from.

fundaméntum,-i, n. *foun-*
dation.

fúror, - ári, - átus sum,
steal.

fúror,-óris, m. *madness.*

futúrum,-i, n. *future.*

futúrus,-a,-um, adj., *fu-*
ture.

G.

generális,-e, adj., *general.*

generáliter, adv., *general-*
ly.

géro,-ere, géssi, géstum,
transact.

grammática,-æ, f. *gram-*
mar.

grávis,-e, severe, grave.

H.

hábeo, - ére, - ui, - i t u m,
have, hold, consider.

haéreo, - ére, haési, haé-
sum, *cling to.*

haéres,-dis, m. *heir.*

hic, hæc, hoc, demons.
pron., *this.*

honéstus, - a, - um, adj.,
proper, honest.

hómo,-inis, m. *man.*

hóstis,-is, c. *enemy.*

humánus, - a, - um, adj.,
human.

I.

íbi, adv., *there.*

ídem, éadem, ídem, de-
mons. pron., *the same.*

ideo, adv., *on that account.*

ignórans,-ntis, c. *an ignorant person.*

ignorántia,-æ, f. *ignorance.*

illusórius,-a,-um, adj., *illusory.*

immemor, adj., *unmindful.*

immutábilis,-e, adj., *unchanging, immutable.*

impérium,-i, n. *government, state.*

implico,-áre,-ávi,-átum, *imply.*

impossíbilis,-e, adj., *impossible.*

impoténtia,-æ, f. *inability, impotence.*

improbo,-áre,-ávi,-átum, *disapprove.*

in, prep. w. acc. *into, to, against*, i. e. *motion*, w. abl. *in, on*, i. e. *rest.*

incértus,-a,-um, adj., *uncertain.*

incóngruus,-a,-um, adj., *incongruous.*

inconsuétus,-a,-um, adj., *unusual.*

incúmbo,-ere,-ui,-itum, *rest upon.*

inde, adv., *thence.*

indigeo,-ére,-ui,- —, *to be in want of.*

indivisíbilis,-e, adj., *indivisible.*

indúco,-ere,-dúxi,-dúctum, *induce, excite.*

inferus,-a,-um, adj., *belonging to the Lower World.*

inficiátio,-ónis, f. *negative.*

informátus,-a,-um, adj., *informed.*

infórmo,-áre,-ávi,-átum, *inform.*

infortúnia,-æ, f. *misfortune.*

infortúnium,-i, n. *misfortune, disaster.*

infra, adv., *within.*

inhabilito,-áre,-ávi,-átum, *incapacitate.*

inítium,-i, n. *beginning.*

injúria,-æ, f. *injury, wrong.*

injústus,-a,-um, adj., *unjust.*

innocens,-ntis, c. *an innocent person.*

innovátio,-ónis, f. *innovation.*

innovo,-áre,-ávi,-átum, *introduce.*

insérvio,-íre,-íi-(ívi),-ítum, *be subservient to.*

inspício,-ere,-spéxi,-spéctum, *look into, examine.*

instánter, adv., *instantly.*

insufficiéter, adv., *insufficiently.*

intélligo, -ere, -léxi, -lectum, *understand, interpret.*

inténdo, -ere, -di, -tum, -(sum), *strive, presume.*

inténtio, -ónis, f. *intention.*

inter, prep. w. acc., *among.*

interlocutárius, -a, -um, adj., *interlocutory.*

interpretátio, -ónis, f. *interpretation.*

intérpreto, -áre, -ávi, -átum, *interpret.*

interrégnum, -i, n. *interregnum.*

intérsum, -ésse, -fui, *be of interest, important to.*

intestínus, -um, adj., *internal.*

inválidus, -a, -um, adj., *invalid.*

invítus, -a, -um, adj., *unwilling.*

ipse, -a, -um, demons. pron. *himself, herself, itself.*

ira, -æ, f. *anger.*

is, éa, id, demons. pron., *he, she, it, this.*

J.

júbeo, -ére, -jússi, -jússum, *command.*

júdex, -icis, m. *judge.*

judiciális, -e, adj., *judicial.*

judicium, -i, n. *judgment, decision.*

júdico, -áre, -ávi, -átum, *judge, adjudicate.*

juraméntum, -i, n. *oath.*

jurátor, -óris, m. *juror.*

jurídicus, -a, -um, adj., *legal.*

jurisdíctio, -ónis, f. *jurisdiction.*

jurisprudéntia, -æ, f. *jurisprudence.*

júro, -áre, -ávi, -átum, *swear, take an oath.*

justítia, -æ, f. *justice.*

jus, -úris, n. *law, right.*

jusjurándum, -us, -i, n. *oath.*

jústus, -a, -um, adj., *just.*

L.

lánguidus, -a, -um, adj., *weak, sick.*

legális, -e, adj., *legal.*

legitimátio, -ónis, f. *legitimacy.*

legítimus, -a, -um, adj., *legitimate.*

léx, -légis, m. *law.*

líbero, -áre, -ávi, -átum, *absolve, discharge.*

libertas, -átis, f. *liberty.*

lícitus, -a, -um, adj., *lawful, legal.*

lígnum, -i, n. *wood, lumber.*

lis, lítás, f. *suit*.

lítera,-æ, f. *letter*.

lóngus,-a,-um, adj., *long*.

lóquor,-i, locútus sum, *speak*.

lúctus,-us, m. *mourning*.

lúo,-ere,-lúi,-lútum, *ex-piate*.

lux,-lúcis, f. *light*.

M.

magister,-tri, m. *master*.

magístra,-æ, f. *mistress*.

majéstas,-átis, f. *majesty*.

malítia,-æ, f. *malice*.

málum,-i, n. *evil, misfortune, wrong*.

málus,-a,-um, adj., *bad, evil*.

mándo,-áre,-ávi,-átum, *command, commit*.

mánuš,-us, f. *hand, custody*.

matrimónium,-i, n. *marriage, matrimony*.

matúrus,-a,-um, adj., *mature*.

máxime, adv., *especially*.

memória,-æ, f. *memorial, memory*.

mendácium,-i, n. *falsehood*.

méns,-ntis, f. *intent, mind*.

ménsa,-æ, f. *board, table*.

mensúra,-æ, f. *measure*.

méntior,-íri,-mentítus sum, *lie*.

méreor,-éri, méritus sum, *deserve*.

mérito, adv., *deservedly*.

métus,-us, m. *fear*.

mína,-æ, f. *threat*.

mínor,-ári, minátus sum, *threaten*.

misericórdia,-æ, f. *mercy, pity*.

míser,-era,-erum, adj., *wretched*.

módus,-i, m. *agreement, custom*.

mónstro,-áre,-ávi,-átum, *point out*.

mórior,-íri, mórtuus sum, *die*.

mórtuus,-a,-um, adj., *dead*.

mos,-móris, m. *custom, moral*.

móveo,-ére,-móvi,-mótum, *move, remove*.

múltiplex, adj., *multiplex*.

múltus,-a,-um, adj. *many, much*.

múndum,-i, n. *world*.

múto,-áre,-ávi,-átum, *change*.

N.

náscor,-i,-nátus,-sum, *generate, arise, be born*.

natúra,-æ, n. *nature*.

naturális,-e,adj., *natural.*
nec, adv., *not.*

necessárie, adv., *necessarily.*

necéssitas,-átis, f. *necessity.*

negligéntia,-æ, f. *negligence.*

négo,-áre,-ávi,-átum, re-
fuse, deny.

némo,-inis, c. *no one.*

nequáquam, adv., *never.*

nescio,-íre,-ívi(-íi),-ítum,
cease, be unable.

nihil, nil, indecl. n. *nothing.*

nísi, conj., *unless.*

nócens,-ntis, c. *wrong-doer, guilty person.*

nóceo, - ére, - ui, - i t u m,
harm, do injury.

nómen,-inis, n. *name.*

non, adv., *not.*

nórma,-æ, f. *rule.*

nóscó,-ere, nóvi, nótum,
recognize.

nóster,-tra,-trum, poss.
pron., our.

novérca,-æ, f. *step-mother.*

nóvitas,-átis, f. *novelty.*

nóvus,-a,-um, adj., *new.*

núbes,-is, f. *cloud.*

núbilis,-e, adj., *marriageable.*

núdus,-a,-um, adj., *naked.*

núllus,-a,-um, a d j., *no (one.)*

número,-áre,-ávi,-átum,
count.

núnquam, adv., *never.*

núptiæ,-árum, f. plur.,
marriage.

O.

óbligó, - áre, - ávi, - átum,
bind.

obsérvo,-áre,-ávi,-átum,
observe.

óbsto,-áre,-stiti,-státum,
prevent.

obtíneo, - ére, - u i, - t e n -
tum, obtain, acquire.

occulátus,-i, m. *eye witness.*

odiósus,-a,-um, adj., *odious.*

ódium,-í, n. *odium.*

offícium,-i, n. *office.*

ómnis,-e, adj., *all.*

ónus,-eris, n. *incumbrance.*

operátio,-ónis, f. *operation.*

ópus,-eris, n. *superstructure, work, assistance.*

ópus ésse, to be necessary.

órdo,-inis, f. *order, course.*

órior,-íri, órtus sum,
arise, accrue.

orthográphia,-æ, f. *spelling.*

ós, óris, n. *voice.*

óstium,-i, n. *door.*

P.

páctum, -i, n. *agreement.*

párco, -ére, -pepérci (pársi), -párcitum (pársum),
spare, preserve.

Parliaméntum, -i, n. *Parliament.*

páριο, -ere, -péperi, - páritum, *produce, bring about.*

páro, -áre, -ávi, -átum, *prepare.*

párs, -rtis, f. *part, side.*

pártus, -us, m. *offspring.*

pátens, -ntis, adj., *patent.*

páter, -tris, m. *father.*

pátria, -æ, f. *country.*

paúci, -órum, m. plur.
few.

pax, -cis, f. *peace.*

peccátum, -i, n. *crime.*

pécco, -áre, -ávi, -átum, *do wrong.*

pecúnia, -æ, f. *money.*

per, prep. w. acc., *through, by.*

percípio, -ere, -cépi, - céptum, *perceive, understand.*

perénnis, -e, adj., *perpetual.*

péreo, -íre, -ívi (-ii), -itum, *fail, fall.*

perímpleo, - é r e, - é v i, - étum, *carry out, execute.*

perpétuus, -a, -um, a d j.,
continual.

persóna, -æ, f. *person.*

personális, -e, adj., *personal.*

p e r t ú r b o, - áre, - ávi, - átum, *disarrange, throw into confusion.*

plánto, -áre, -ávi, - á t u m, *affix, annex.*

pléne, adv., *fully, especially.*

poéna, -æ, f. *punishment.*

póndero, -áre, -ávi, -átum, *weigh.*

póno, -ere, pósui, p o s i - tum, *place.*

pópulus, -i, m. *people.*

posséssio, -ónis, f. *possession.*

possídeo, -ére, -sédi, - s e s - sum, *own, possess.*

póssum, pósse, p ó t u i, —, *be able.*

pótens, -ntis, adj., *powerful.*

pótentia, -æ, f. *power.*

potéstas, -átis, f. *power.*

pótis, -e, adj. *powerful.*

præcédens, -ntis, n. *precedent.*

præféro, -férre, -tuli, - l á - tum, *prefer.*

praémium, -i, n. *reward.*

præscriptio, -ónis, f. *prescription.*

praesens, -ntis, adj., pres-
ent.

praesumo, -é r e, -súmpsi, -
súmpsum, presume.

praevénio, -ire, -véni, -vén-
tum, prevent by antici-
pating.

prétium, -i, n. price.

primitivus, -a, -um, a d j.,
original.

primum, adv., at first, in
the first place.

principále, -is, n. princi-
pal.

principium, -i, n. begin-
ning.

priusquam, conj., before.

privátus, -a, -um, private.

privilégium, -i, n. privi-
lege.

pro, prep. w. abl., for, in
behalf of.

probátio, -ónis, f. proof.

próbo, -áre, -ávi, - á t u m,
prove, suppose.

prodítio, -ónis, f. treason.

prófero, -férre, -tuli, - l a -
tum, offer.

prohíbeo, -ére, -ui, - itum,
prevent, forbid.

próprius, - a, - u m, a d j.,
one's own, peculiar.

própter, prep. w. acc., on
account of.

prospício, -ere, - s p é x i, -
spéctum, look forward.

prósum, prodésse, prófui,
—, do good.

públicus, -a, - u m, a d j.,
public.

púdor, -óris, n. virtue.

púer, -eri, c. child.

púgno, -áre, -ávi, - á t u m,
conflict, fight.

púnio, -ire, -ívi (-ii), -ítum,
punish.

púto, -áre, -ávi, -átum, re-
gard, consider.

Q.

quam, adv., than.

quándo, adv., when.

quántus, -a, -um, adj.,

quaéro, -ere, -sív i (-íi), -
sítum, inquire into.

quaéstio, -ónis, f. question,
inquiry, investigation.

quási, adv., as if.

que, encl. conj., and.

qui, quæ, quod, rel. pron.,
who, which.

quía, conj., because.

quilibet, quaélibet, quód-
libet, indef. pron., any
kind of.

quis, quæ, quid, interrog.
pron., what.

quisquis, quaéquæ, quíc-
quid, indef. pron., any-
thing, something.

quóties, adv., as often as.

R.

rátio,-ónis, f. *reason, rule.*

rátus,-a,-um, adj., *considered, regarded, confirmed.*

recédo,-ere,-cés s i,-cés sum, *depart from.*

recípío,-ere,-cépi,-cép tum, *receive, be capable of.*

recórdum,-i, n. *record.*

récreo,-áre,-ávi,-átum, *renew, restore.*

réctus,-a,-um, adj., *right, just, lawful.*

réctum,-i, n. *right, truth.*

réddo,-ere,-didi,-ditum, *give, make.*

refúgium,-i, n. *refuge.*

régius,-a,-um, adj., *royal, regal.*

régnum,-i, n. *kingdom.*

régo,-ere,réxi,réctum, *control, rule.*

régula,-æ, f. *rule.*

rejício,-ere,-jéci,-jéctum, *refuse, reject.*

relátio,-ónis, f. *report, motion.*

rélevo,-áre,-ávi,-átum, *be relevant to.*

relígio,-ónis, f. *religion.*

remédium,-i, n. *remedy.*

remóveo,-ére,-móvi,-mótum, *remove.*

réprobo,-áre,-ávi,-átum, *refuse.*

réputo,-áre,-ávi,-átum, *consider.*

requíro,-ere,-sívi(-ii),-sítum, *ask, require.*

res,réi, f. *thing, affair.*

rescíndo,-ere,-scídi,-scísum, *disregard.*

respício,-ere,-spéxi,-spéc tum, *look backward.*

respóndeo,-ére,-di,-spónsum, *answer to, respond.*

respública,-éi,-æ, f. *republic, state.*

restítuo,-úere,-ui,-útum, *correct.*

retíneo,-ére,-ui,-téntum, *hold, retain.*

réus,-i, m. *defendant, guilty person.*

réus,-a,-um, adj., *criminal.*

révoco,-áre,-ávi,-átum, *recall.*

rex,régis, m. *king.*

Románus,-a,-um, adj., *Roman.*

rúo,-ere,rúi,rútum, *fall.*

S.

sacraméntum,-i, n. *faith.*

saépe, adv., *often.*

sálus,-útis, f. *safety.*

sánctio,-ónis, f. *oath, sanction.*

sánctus,-a,-um, adj., *sacred*.

sciénter, adv., *knowingly, with knowledge*.

sciéntia,-æ, f. *knowledge*.

scío, - íre, scívi, scítum, *know*.

scribo,-ere,-scripsi,-scriptum, *write*.

scríptum,-i, n. *deed*.

scrútor,-ári,-átus sum, *scrutinize*.

secrétum,-i, n. *secret*.

secúndum, prep. w. acc., *according to*.

sémel, adv., *once*.

sémper, adv., *always*.

senátus,-us, m. *senate*.

senténtia,-æ, f. *opinion, decree, judgment, sentence*.

séntio,-íre,-si,-sum, *enjoy, bear*.

séquor,-qui, secútus sum, *follow*.

servítia,-órum, n. plur. *services*.

sérvitus,-útis, f. *servitude, slavery*.

sérvo,-áre,-ávi,-átum, *keep, preserve*.

seu, conj., *or*.

sevére, adv., *severely*.

sex, indecl. num. *six*.

sic, adv., *so, in such a manner*.

sicárius,-i, m. *assassin*.

síleo,-ére,-ui, —, *be silent*.

símilis,-e, adj., *like*.

símplex,-icis, adj., *simple, plain*.

síne, prep. w. abl., *without*.

síno,-ere, sívi, sítum, *permit*.

sínguli,-æ,-a, plur. adj., *individual*.

síve, conj., *or*.

sóbríus,-a,-um, adj., *sober*.

sócius,-i, m. *partner, associate*.

sólíum,-i, n. *throne*.

sólidus,-a,-um, adj., *entire*.

sólum,-i, n. *soil*.

sólus,-a,-um, adj., *single, alone*.

sólvo,-ere,-i, solútum, *free, release*.

spécto,-áre,-ávi,-átum, *look at, regard*.

spéro,-áre,-ávi,-átum, *foresee*.

spoliátor,-óris, m. *wrongdoer*.

stípes,-itis, f. *root, stock*.

stipulátor,-óris, m. *stipulator, party using*.

sto,-áre, stéti, státum, *stand, abide*.

strictus, - a, - um, a d j.,
strict.

súbditus, - i, m. *subject.*

súbsequens, - ntis, a d j.,
subsequent.

subvénio, - íre, - véni, - ven-
tum, *come to the aid of.*

subvérto, - ere, - ti, - sum,
overturn.

succúrro, - ere, - cúrri, - cúr-
sum, *come to the aid of.*

súi, gen. of reflex. pron.,
of himself, herself, etc.

súmo, - ere, súmpsi, sump-
tum, *take up.*

supérfluus, - a, - um, a d j.,
superfluous.

supérieur, - oris, m. *princi-
pal.*

súppleo, - ére, - évi, - étum,
supply.

supplícium, - i, n. *punish-
ment, penalty.*

suppréssio, - ónis, f. *sup-
pression.*

suspício, - ónis, f. *suspici-
ion.*

suspiciósus, - a, - sum, *sus-
picious.*

súus, - a, - um, poss. pron.,
his, her, its.

T.

témpus, - oris, n. *time.*

téneo, - ére, - ui, téntum,
regard, hold.

ténens, - ntis, n. *tenant.*

térra, - æ, f. *land.*

testaméntum, - i, n. *will,
testament.*

testátor, - óris, m. *testator.*

téstis, - is, c. *witness.*

téstor, - ári, - átus sum, *tes-
tify, make a will.*

thórus, - i, m. *bed, couch.*

tólero, - áre, - ávi, - átum,
permit.

tóllo, - ere, sústuli, sublá-
tum, *remove.*

tradítio, - ónis, f. *delivery.*

tráho, - ere, tráxi, trác-
tum, *carry with.*

tránseo, - íre, - ívi (-íi), -
ítum, *pass.*

tránsfero, - férre, - tuli, - lá-
tum, *transfer.*

tripartítus, - a, - um, a d j.,
threefold.

túrpis, - e, adj., *base.*

turpitúdo, - ínis, f. *base-
ness, infamy.*

tútus, - a, - um, adj., *safe.*

túus, - a, - um, poss. pron.,
your.

U.

úbi, adv., *where.*

últimus, - a, - um, adj., *fi-
nal, last.*

univérsus, - a, - um, a d j.,
everybody.

únus,-a,-um, num. adj.,
one.

úsque, adv., all the way up
to.

úsus,-us, m. custom, use.

ut, conj., in order that.

úterus,-i, m. womb.

útilis,-e, adj., useful.

utilitas,-átis, f. utility.

útor, úti, úsus, sum, w.
abl., use, enjoy.

úxor,-óris, f. wife.

V.

vágus,-a,-um, adj., uncer-
tain, ambiguous.

váleo,-ére,-ui, —, stand,
be able.

válor,-óris, m. value.

vánus,-a,-um, adj., vain.

vel, conj., or.

vénditor,-óris, m. seller.

véndo,-ere,-didi,-ditum,
sell.

vénia,-æ, f. pardon.

vénio,-íre, véni, véntum,
go, come.

vérbum,-i, n. word.

vére, adv., truly, with len-
ity.

verificatio,-ónis, f. proof.

verifico,-áre,-ávi, -átum,
verify.

véritas,-atis, f. truth.

vére, adv., assuredly, with
lenity.

vérus,-a,-um, adj., true.

véto,-áre,-ui,-itum, for-
bid.

vía,-æ, f. way, road.

vicínus,-i, m. neighbor.

videor,-éri, visus, sum,
seem, appear.

vigilans,-ntis, c. watchful
person.

vínco,-ere, -víci,-victum,
overcome.

vínculum,-i, n. bond,
chain, link.

violo, -áre, -ávi, -átum,
disregard.

vir, víri, m. husband.

vis, vis, f. force.

visitatio,-ónis, f. visit.

vítio,-áre,-ávi,-átum, vi-
tiate, make void.

vívens,-ntis, m. a living
person.

vívo, -ere, víxi, víctum,
live.

vólo, vélle, vólui, —,
wish.

volúntas,-átis, f. will.

vótum,-i, n. wish.

vox,-cis, f. voice.



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